

Exhibit Z

EASTERN PROFIT CORPORATION LIMITED vs STRATEGIC VISION US, LLC
J. Michael Waller on 02/08/2019

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 -----x
4 EASTERN PROFIT CORPORATION LIMITED,
5 Plaintiff-Counterclaim Defendant,
6 Case No.
7 -against- 18-cv-2185
8 STRATEGIC VISION US, LLC,
9 Defendant-Counterclaim Plaintiff,
10 vs.
11 GUO WENGUI a/k/a, MILES KWOK,
12 Counterclaim Defendant.

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16 VIDEOTAPED DEPOSITION

17 OF

18 J. MICHAEL WALLER

19 New York, New York

20 Friday, February 8, 2019

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<p style="text-align: right;">Page 14</p> <p>1 Q. -- other than this one?</p> <p>2 A. Yes.</p> <p>3 Q. So three total that you've performed</p> <p>4 work for Strategic Vision?</p> <p>5 A. This is the third one, yes.</p> <p>6 Q. And without identifying the name of any</p> <p>7 of the clients or anything like that, what was</p> <p>8 the substance of that kind of work, the other two</p> <p>9 projects that you performed?</p> <p>10 A. Opposition research and political/</p> <p>11 policy work, messaging.</p> <p>12 Q. What is the opposition research? Can</p> <p>13 you break that down a little bit and explain what</p> <p>14 that means?</p> <p>15 A. Yeah, it's common in political</p> <p>16 campaign-type work, but you can use it for really</p> <p>17 anything where you want to research who your</p> <p>18 opposition is, everything you can find out about</p> <p>19 the opposition and use that for advancing your</p> <p>20 political or policy purposes.</p> <p>21 Q. So was it investigation work?</p> <p>22 A. Yes.</p> <p>23 Q. What kind of investigation work? Can</p> <p>24 you describe it?</p> <p>25 A. Computer research, sort of academic</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. So it doesn't have a storefront or</p> <p>2 office or anything like that?</p> <p>3 A. No.</p> <p>4 Q. Do you work in that office when you're</p> <p>5 working on a project for Strategic Vision?</p> <p>6 A. No. We'll meet at her house to talk,</p> <p>7 that's all.</p> <p>8 Q. Just going back to your career. How</p> <p>9 many opposition research projects have you</p> <p>10 performed in your career?</p> <p>11 A. More than a hundred.</p> <p>12 Q. Some of those are within the</p> <p>13 United States?</p> <p>14 A. Both in the United States and abroad.</p> <p>15 Q. What's the split there, if you can</p> <p>16 ballpark that?</p> <p>17 A. Roughly 50/50 either way. I couldn't</p> <p>18 quantify it.</p> <p>19 Q. So sometimes the subjects of an</p> <p>20 investigation are in other countries and</p> <p>21 sometimes they're in the United States?</p> <p>22 A. Yes.</p> <p>23 Q. Does French Wallop ever do this kind of</p> <p>24 investigatory work, opposition research?</p> <p>25 A. She does, using different methods.</p>
<p style="text-align: right;">Page 15</p> <p>1 research, good old-fashioned detective-type work.</p> <p>2 The same way you would do a background</p> <p>3 investigation.</p> <p>4 Q. And do you do that work personally?</p> <p>5 A. I do some of it personally, but I</p> <p>6 arrange teams where it's beyond my expertise or</p> <p>7 where the scope is too large.</p> <p>8 Q. So sometimes you'll perform the</p> <p>9 investigatory research yourself if the resources</p> <p>10 are available?</p> <p>11 A. Yes, or if my capabilities are there.</p> <p>12 If they're beyond my capabilities, I'll hire out</p> <p>13 the talent.</p> <p>14 Q. So you've done that for Strategic</p> <p>15 Vision?</p> <p>16 A. Yes.</p> <p>17 Q. What if the research is beyond your</p> <p>18 capabilities?</p> <p>19 A. You hire people who have those</p> <p>20 capabilities.</p> <p>21 Q. You have contacts who can do that kind</p> <p>22 of research when you can't do it?</p> <p>23 A. Yes.</p> <p>24 Q. Where is Strategic Vision located?</p> <p>25 A. At French Wallop's house.</p>	<p style="text-align: right;">Page 17</p> <p>1 Q. So if you and French Wallop are working</p> <p>2 on a project? What's the division of labor?</p> <p>3 What work would you do and what work would she</p> <p>4 do?</p> <p>5 A. She normally does the networking in the</p> <p>6 political or diplomatic or intelligence</p> <p>7 communities through her personal networks. Her</p> <p>8 husband was on the Senate Intelligence Committee,</p> <p>9 so she has connections going back longer than</p> <p>10 I've known her. She's maintained all those</p> <p>11 contacts worldwide, and she's multilingual and</p> <p>12 she's traveled very extensively. So she'll use</p> <p>13 those higher level contacts, and then I'll do the</p> <p>14 more nuts-and-bolts work.</p> <p>15 Q. So in other words, Ms. Wallop might use</p> <p>16 her network of contacts to get a certain amount</p> <p>17 of information, investigatory research, and then</p> <p>18 you might drill down on that data.</p> <p>19 Is that fair to say?</p> <p>20 A. Yeah. On occasion, yeah.</p> <p>21 Q. Let's look at a document here, and</p> <p>22 we'll mark it as Waller 1.</p> <p>23 MR. SCHMIDT: Unless you just want to</p> <p>24 continue numbering them.</p> <p>25 MR. GRENDI: I think I'm just going to</p>

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<p style="text-align: right;">Page 18</p> <p>1 do them by name. There's going to be some</p> <p>2 overlap, so I don't want to mix and match.</p> <p>3 I just want to keep them separate. I have</p> <p>4 to be careful not to give you the one that</p> <p>5 I've marked up, so please bear with me.</p> <p>6 (Waller Exhibit 1, Research Agreement</p> <p>7 January 1, 2018, marked for identification.)</p> <p>8 MS. TESKE: Sorry, you said this is</p> <p>9 Waller 1?</p> <p>10 MR. GRENDI: Yeah, this is Waller 1.</p> <p>11 Q. Mr. Waller, can you please just take a</p> <p>12 moment to look at this document and let me know</p> <p>13 when you're done reviewing it. You don't have to</p> <p>14 read every word. Just familiarize yourself with</p> <p>15 it.</p> <p>16 A. Okay.</p> <p>17 Q. Mr. Waller, do you recognize this</p> <p>18 document?</p> <p>19 A. I recognize one with a different date</p> <p>20 that's filled out.</p> <p>21 Q. Before today, you don't know if you've</p> <p>22 ever seen this document?</p> <p>23 A. I'm not sure. There are several</p> <p>24 versions of it.</p> <p>25 Q. Let me ask you about that. So does</p>	<p style="text-align: right;">Page 20</p> <p>1 (*r) MR. GRENDI: Joe, I think we are going</p> <p>2 to call for the production of any drafts</p> <p>3 that weren't already produced.</p> <p>4 MR. SCHMIDT: All right.</p> <p>5 Q. So do you have those prior drafts in</p> <p>6 your computer at home?</p> <p>7 A. I have one, I think, dated December 29,</p> <p>8 2017.</p> <p>9 Q. Were there any drafts before</p> <p>10 December 29, 2017?</p> <p>11 A. I don't know. It was with Guo and</p> <p>12 Lianchao Han and French Wallop, and then later on</p> <p>13 with only French Wallop and Yvette Wang.</p> <p>14 Q. You said before that you worked on the</p> <p>15 first draft of a document like this, is that</p> <p>16 right?</p> <p>17 A. On initial drafts, but yes.</p> <p>18 Q. When did you do that initial draft?</p> <p>19 MR. SCHMIDT: Objection.</p> <p>20 MR. GRENDI: Is the witness going to</p> <p>21 answer or are you saying he's not going to</p> <p>22 answer?</p> <p>23 MR. SCHMIDT: It's a form objection.</p> <p>24 You can answer.</p> <p>25 THE WITNESS: When there's an</p>
<p style="text-align: right;">Page 19</p> <p>1 Strategic Vision have a standard research</p> <p>2 agreement that it uses for its clients?</p> <p>3 A. I don't know.</p> <p>4 Q. Have you seen an agreement similar to</p> <p>5 this in the past?</p> <p>6 A. No. Well, apart from earlier drafts of</p> <p>7 this one, no.</p> <p>8 Q. So you don't know, sitting here today,</p> <p>9 whether Strategic Vision has a stock agreement</p> <p>10 that it provides to its clients when there's a</p> <p>11 project of this nature?</p> <p>12 A. I don't know.</p> <p>13 Q. So you don't know how long Strategic</p> <p>14 Vision has used this document?</p> <p>15 A. I wrote the draft of this with Guo.</p> <p>16 Q. You wrote this document?</p> <p>17 MR. SCHMIDT: Just give me a chance to</p> <p>18 object.</p> <p>19 THE WITNESS: Okay.</p> <p>20 MR. SCHMIDT: No, go ahead. You're</p> <p>21 good.</p> <p>22 Q. Did you write the original draft of</p> <p>23 this research agreement?</p> <p>24 A. Not this draft, but I wrote drafts</p> <p>25 leading up to what appears to be this draft.</p>	<p style="text-align: right;">Page 21</p> <p>1 objection, am I bound to answer?</p> <p>2 MR. SCHMIDT: If I don't instruct you</p> <p>3 not to answer, you can go ahead and answer.</p> <p>4 THE WITNESS: Repeat the question,</p> <p>5 please.</p> <p>6 MR. GRENDI: Can you read it back,</p> <p>7 please.</p> <p>8 (Whereupon, the referred to question</p> <p>9 was read back by the Reporter.)</p> <p>10 A. It's hard to say exactly because we</p> <p>11 were developing the concept, developing the work</p> <p>12 plan, developing the budgets, and so it would</p> <p>13 have been depending on what an initial draft is,</p> <p>14 in November or December of 2017, probably</p> <p>15 December 2017.</p> <p>16 Q. Who did you work with on that draft,</p> <p>17 the first draft?</p> <p>18 A. With Miles Kwok directly, with Lianchao</p> <p>19 Han as the interpreter and facilitator, and with</p> <p>20 French Wallop.</p> <p>21 Q. Where was that? That sounds like it</p> <p>22 was a meeting in person.</p> <p>23 A. Yes. It was at Miles Kwok's residence</p> <p>24 in New York City.</p> <p>25 Q. That was around, you're saying, early</p>

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<p style="text-align: right;">Page 22</p> <p>1 December 2017?</p> <p>2 A. Roughly, yeah. I'd have to go back and</p> <p>3 check. I can give you an absolute date. We went</p> <p>4 through ideas first, which wouldn't be a draft of</p> <p>5 the contract, and then we did the draft of the</p> <p>6 contract. We did it directly at Kwok's</p> <p>7 residence.</p> <p>8 Q. So did you handwrite it or did someone</p> <p>9 else handwrite it or was there a computer</p> <p>10 involved? Can you just describe the writing</p> <p>11 process?</p> <p>12 A. Yeah, I would have handwritten it</p> <p>13 because we did not have computers in those</p> <p>14 meetings.</p> <p>15 Q. So you took handwritten notes as to</p> <p>16 what the provisions of the contract would be?</p> <p>17 A. Yes.</p> <p>18 Q. Did anyone else take notes like that?</p> <p>19 A. I don't recall.</p> <p>20 (*r) MR. GRENDI: We would also call for the</p> <p>21 production of those notes, Joe.</p> <p>22 Q. So please, if you would, describe what</p> <p>23 was discussed at this meeting where the first</p> <p>24 draft of the research agreement was memorialized</p> <p>25 or discussed.</p>	<p style="text-align: right;">Page 24</p> <p>1 A. He uses three names. Miles Kwok, I</p> <p>2 suppose, is the name he's using today for his</p> <p>3 representation here.</p> <p>4 Q. Do you also know him as Guo Wengui?</p> <p>5 A. Yes.</p> <p>6 Q. You said there were three names.</p> <p>7 A. There was a third name that contained</p> <p>8 the name "Guo." I don't recall the exact part of</p> <p>9 the name.</p> <p>10 Q. This meeting that you say occurred at</p> <p>11 Mr. Guo's, you say, apartment --</p> <p>12 A. Yes, or whatever his unit is called.</p> <p>13 Q. -- in December of 2017, was that the</p> <p>14 first time you had met him?</p> <p>15 A. Yes.</p> <p>16 Q. You described he told you what he</p> <p>17 wanted. What did he tell you he wanted?</p> <p>18 A. He wanted to do battle with the Chinese</p> <p>19 Communist Party leadership.</p> <p>20 Q. Can you explain a little bit more about</p> <p>21 what you thought he meant by that?</p> <p>22 A. Yes. He wanted to exploit divisions</p> <p>23 within the Communist Party leadership as</p> <p>24 President Xi was consolidating power. He wanted</p> <p>25 to take advantage. He wanted to exploit</p>
<p style="text-align: right;">Page 23</p> <p>1 A. It was a lengthy meeting at his house.</p> <p>2 It was split up by a sit-down in his living room</p> <p>3 and then conversations in his dining room. And</p> <p>4 it was developed -- he told us what he wanted to</p> <p>5 do. We then said how we could meet that. We</p> <p>6 told him some of the things to do may not be</p> <p>7 legal in the United States to do. He was fine</p> <p>8 with that.</p> <p>9 Then we developed the scope, and then</p> <p>10 from the scope developed a budget. And I can't</p> <p>11 recall specifically if we discussed the budget in</p> <p>12 that first meeting or subsequently, and I did not</p> <p>13 save a lot of the notes on purpose.</p> <p>14 Q. So you threw away the notes?</p> <p>15 A. Yeah.</p> <p>16 Q. When did you dispose of the notes?</p> <p>17 A. Ordinarily I destroyed my notes on</p> <p>18 things where they have to be confidential, where</p> <p>19 there's a high-risk environment, to protect the</p> <p>20 client and to protect our own people, so I don't</p> <p>21 remember when I would have done that. It would</p> <p>22 have been certainly before any dispute arose.</p> <p>23 Q. You mentioned what -- you said Mr. Guo</p> <p>24 want. Who are you talking about when you say</p> <p>25 "Mr. Guo"?</p>	<p style="text-align: right;">Page 25</p> <p>1 differences within the regime and within other</p> <p>2 Chinese billionaires living both inside and</p> <p>3 outside the People's Republic of China for the</p> <p>4 purposes of disrupting the Xi government. He</p> <p>5 also wanted to expose the family networks of</p> <p>6 certain of those Communist Party officials,</p> <p>7 including what he described was their children</p> <p>8 born out of wedlock who lived under different</p> <p>9 names with relatives who managed the party</p> <p>10 leaders' illegally gained funds and a range of</p> <p>11 things related to that. The bottom line was it</p> <p>12 was for disruption of the Chinese Communist Party</p> <p>13 leadership.</p> <p>14 Q. Was this the first time you had heard</p> <p>15 about that being the supposed goal of this</p> <p>16 research or request?</p> <p>17 A. Before I met him, I was told that he</p> <p>18 was going to do this, and that's why I took an</p> <p>19 interest in doing it.</p> <p>20 Q. Who told you about that interest?</p> <p>21 A. French Wallop told me and Lianchao Han</p> <p>22 told me and Bill Gertz told me.</p> <p>23 Q. Let's just go one at a time. Who is</p> <p>24 the first one of those three people to tell you</p> <p>25 or was it maybe one meeting?</p>

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<p style="text-align: right;">Page 26</p> <p>1 A. I believe it was French Wallop.</p> <p>2 Q. And then subsequent to that, you talked</p> <p>3 to who about that?</p> <p>4 A. To Lianchao Han, L-i-a-n-c-h-a-o. The</p> <p>5 second name is H-a-n.</p> <p>6 Q. This is all before this December</p> <p>7 meeting in Mr. Guo's apartment?</p> <p>8 A. Yes.</p> <p>9 Q. When did you talk to Bill Gertz?</p> <p>10 A. At about that same time. Bill Gertz</p> <p>11 had asked French Wallop if she could do this</p> <p>12 work. She said she would like to bring me in.</p> <p>13 He thought it would be a great idea, in his</p> <p>14 words, and Lianchao Han agreed. And that's when</p> <p>15 I was brought up to meet -- then I conferred with</p> <p>16 Lianchao and was brought up to meet Guo.</p> <p>17 Q. So Mr. Guo apparently described what he</p> <p>18 wanted to do, and then you said that Strategic</p> <p>19 Vision -- let's strike that and start over.</p> <p>20 Sorry.</p> <p>21 So Mr. Guo told you what he wanted from</p> <p>22 you and Ms. Wallop. What did you tell him back</p> <p>23 in terms of what Strategic Vision and you</p> <p>24 yourself could provide as a service?</p> <p>25 A. First, I never spoke on behalf of</p>	<p style="text-align: right;">Page 28</p> <p>1 the client confidentiality and the</p> <p>2 confidentiality of the work.</p> <p>3 Q. So you're saying at the outset here you</p> <p>4 explained to Mr. Guo and Mr. Lianchao that</p> <p>5 Strategic Vision and you personally are not</p> <p>6 working together directly. That you're, I guess,</p> <p>7 an independent contractor?</p> <p>8 A. Yes, that would be accurate, as an</p> <p>9 independent contractor.</p> <p>10 Q. And you explained that to Mr. Guo and</p> <p>11 Mr. Lianchao?</p> <p>12 A. Yes.</p> <p>13 Q. Did they say anything when you</p> <p>14 explained that?</p> <p>15 A. No.</p> <p>16 Q. Getting back to my original question,</p> <p>17 what did you and Strategic Vision, through</p> <p>18 Ms. Wallop, explain as a possible service that</p> <p>19 could be provided to Eastern Profit?</p> <p>20 A. We could provide this opposition</p> <p>21 research to Guo. That we would set up the teams</p> <p>22 to do the work. That the work would have to be</p> <p>23 done both in the United States and outside the</p> <p>24 United States. That we were starting up cold.</p> <p>25 We never implied that we had a corporate entity</p>
<p style="text-align: right;">Page 27</p> <p>1 Strategic Vision.</p> <p>2 Q. Okay. Who were you speaking on behalf</p> <p>3 of?</p> <p>4 A. On behalf of myself.</p> <p>5 Q. So you don't have an employment</p> <p>6 agreement with Strategic Vision?</p> <p>7 A. No.</p> <p>8 Q. Did you explain to Mr. Guo and</p> <p>9 Mr. Lianchao that you did not work for Strategic</p> <p>10 Vision?</p> <p>11 A. Yes.</p> <p>12 Q. When was it? Was that at this meeting</p> <p>13 that you're talking about now?</p> <p>14 A. It was probably at the first meeting</p> <p>15 with Guo. I never implied anything that I worked</p> <p>16 for Strategic Vision.</p> <p>17 Q. Did you explicitly say "I don't work</p> <p>18 for Strategic Vision"?</p> <p>19 A. I don't recall if it was quite put that</p> <p>20 way. I would let Ms. Wallop answer that because</p> <p>21 she was speaking for her company. We presented</p> <p>22 ourselves as a team, and we were specific that we</p> <p>23 assemble teams on an as-needed basis to do this</p> <p>24 type of research because there's no corporate</p> <p>25 profile. And that was essential for maintaining</p>	<p style="text-align: right;">Page 29</p> <p>1 with a staff and resources, that we would be</p> <p>2 starting this up from scratch as we do with all</p> <p>3 our projects. So he was fine with that.</p> <p>4 Q. Did you or Ms. Wallop explain what</p> <p>5 either your capabilities or Ms. Wallop's</p> <p>6 capabilities were in terms of providing this</p> <p>7 research?</p> <p>8 MR. SCHMIDT: Objection. Go ahead.</p> <p>9 Q. Let me break it down, then.</p> <p>10 Did you explain what you could provide</p> <p>11 as a service in connection with this research?</p> <p>12 A. Yes.</p> <p>13 Q. And what did you explain to the parties</p> <p>14 present?</p> <p>15 A. That I would assemble the research team</p> <p>16 and supervise the research team.</p> <p>17 Q. That's the research team that would</p> <p>18 perform investigatory research?</p> <p>19 A. Yes.</p> <p>20 Q. Did Ms. Wallop explain what Strategic</p> <p>21 Vision could provide in connection with this</p> <p>22 research?</p> <p>23 A. Yes.</p> <p>24 Q. What did she say, if you recall?</p> <p>25 A. I don't recall exactly.</p>

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<p style="text-align: right;">Page 30</p> <p>1 Q. What do you recall generally?</p> <p>2 A. That she could get the work done.</p> <p>3 Q. Were any other services described or</p> <p>4 offered at this meeting, other than -- let's call</p> <p>5 it investigatory research or, as you called it,</p> <p>6 opposition research?</p> <p>7 A. Yes. Guo had a big vision of things</p> <p>8 that he wanted to do, and between Mrs. Wallop's</p> <p>9 own research and connections and my own, we could</p> <p>10 provide all of that or arrange for it to be</p> <p>11 provided.</p> <p>12 Q. What were these other services?</p> <p>13 A. Guo was invested in purchasing real</p> <p>14 estate in Washington, D.C. and in New York City</p> <p>15 and Westchester County. Mrs. Wallop had been</p> <p>16 involved with high-end real estate in the past,</p> <p>17 so she took that on.</p> <p>18 Q. So that was discussed at this meeting?</p> <p>19 A. I believe it was at that meeting. If I</p> <p>20 remember correctly, Lianchao first raised it with</p> <p>21 us before we met Guo.</p> <p>22 Q. When you say "we," you mean you and</p> <p>23 Ms. Wallop?</p> <p>24 A. Yes.</p> <p>25 Q. Now, at the time of this meeting in</p>	<p style="text-align: right;">Page 32</p> <p>1 He also wanted to set up a media</p> <p>2 organization tentatively called Guo Media, and we</p> <p>3 discussed various aspects of that.</p> <p>4 Q. Did Strategic Vision and Mr. Guo ever</p> <p>5 agree to those other services? Let's call them</p> <p>6 non-investigatory services?</p> <p>7 A. I don't think it was contractual. I</p> <p>8 think it was just verbal. Because I do know that</p> <p>9 she took Yvette around to look at certain</p> <p>10 properties in Washington, D.C.</p> <p>11 Q. But to your knowledge, there was never</p> <p>12 any written agreement between Mr. Guo and</p> <p>13 Strategic Vision concerning these other services?</p> <p>14 A. Not that I know of.</p> <p>15 Q. Going back to the terms of the research</p> <p>16 agreement that you were drafting at this meeting.</p> <p>17 To the extent you can recall, what were the basic</p> <p>18 terms that were discussed that you wrote down or</p> <p>19 remember?</p> <p>20 MR. SCHMIDT: Just objection, but go</p> <p>21 ahead.</p> <p>22 A. Okay. First I'd have to sort out one</p> <p>23 meeting from the other and then what we discussed</p> <p>24 before or after the meeting without Guo present,</p> <p>25 so everything might not be completely accurate.</p>
<p style="text-align: right;">Page 31</p> <p>1 Mr. Guo's apartment, did you understand that</p> <p>2 there had been prior meetings between either</p> <p>3 Mr. Guo or Yvette Wang or Lianchao Han and</p> <p>4 Strategic Vision?</p> <p>5 A. And Strategic Vision, no.</p> <p>6 Q. What about French Wallop?</p> <p>7 A. I don't know. No, no.</p> <p>8 MR. SCHMIDT: No, you don't believe</p> <p>9 they met before?</p> <p>10 THE WITNESS: I don't believe they met</p> <p>11 before.</p> <p>12 Q. So you're not sure if French Wallop had</p> <p>13 shown Mr. Guo or Yvette Wang real estate in the</p> <p>14 Washington, D.C. area prior to this meeting?</p> <p>15 A. No, that was after the meeting. There</p> <p>16 was more that he asked us to do.</p> <p>17 Q. Such as?</p> <p>18 A. He wanted to set up a foundation, a</p> <p>19 non-profit foundation for public policy relating</p> <p>20 to China based in Washington, D.C. He discussed</p> <p>21 certain properties he wanted to buy in</p> <p>22 Washington, D.C. to house that foundation, a</p> <p>23 prestige property in Georgetown and a property</p> <p>24 right across from the U.S. Treasury Department</p> <p>25 overlooking the White House.</p>	<p style="text-align: right;">Page 33</p> <p>1 MR. SCHMIDT: Is the question just what</p> <p>2 he drafted at that December meeting, the</p> <p>3 notes he took? That's the problem with the</p> <p>4 question.</p> <p>5 MR. GRENDI: That's fair.</p> <p>6 MR. SCHMIDT: Maybe we can narrow it,</p> <p>7 take it one bite at a time.</p> <p>8 Q. What were the notes that you took, to</p> <p>9 the extent you recall, regarding this agreement</p> <p>10 at the meeting at Mr. Guo's apartment that we've</p> <p>11 been discussing?</p> <p>12 A. The general things that he wanted were</p> <p>13 he wanted to investigate up to 4,000 individuals</p> <p>14 in China or Chinese nationals living outside</p> <p>15 China, and he wanted to start with ten. He</p> <p>16 described the types of research he wanted done.</p> <p>17 Q. Would that include financial forensic</p> <p>18 research?</p> <p>19 A. Yes.</p> <p>20 Q. And would it include tracking research?</p> <p>21 A. Yes.</p> <p>22 Q. How about social media research?</p> <p>23 A. Yes.</p> <p>24 Q. So if you look at what we marked as</p> <p>25 Waller 1, do items A, B and C describe the type</p>

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<p style="text-align: right;">Page 34</p> <p>1 of services that Mr. Guo apparently asked for at 2 this meeting? 3 A. Yes. 4 MR. SCHMIDT: Objection. 5 Q. What else was discussed at the meeting, 6 other than the 4,000 individuals starting with 7 ten, and the types of research? 8 A. Guo had a three-year plan. He wanted a 9 three-year contract to fulfill that plan. He had 10 a larger plan of his own of which this was just 11 supposedly a small part. 12 Q. Anything else you recall? 13 A. He was extremely conscious of his own 14 personal security. He expressed fear that he 15 would be murdered. He expressed concern for his 16 property that was still in China, his overall 17 interest in China. He expressed concern that 18 under no circumstances should our relationship 19 ever be divulged to anyone. 20 We discussed security measures we would 21 take, which were rather extraordinary because 22 they were meant to avoid detection by the Chinese 23 intelligence services called MSS, which is 24 extremely active in the United States. 25 Q. That's MMS, you said?</p>	<p style="text-align: right;">Page 36</p> <p>1 One of the issues was a deposit of \$1 2 million to finance the start-up of getting the 3 teams in order and getting all the pieces in 4 place. 5 Q. Is \$1 million the kind of starting 6 negotiating point that Strategic Vision had, or 7 did they demand a different sum? 8 A. No, we had a larger sum for the work 9 involved, but we needed the funds to start up the 10 teams and to get all the pieces in place. We 11 were very explicit that we were starting up cold. 12 We requested it first as a signing bonus. He 13 disagreed. He objected to that completely, so we 14 agreed on a deposit which would be credited to 15 the last month, roughly month and a third of the 16 contract, so he wouldn't pay us a final payment 17 at the end of year one. We would just deduct 18 that. We would just deduct the deposit as our 19 payment. 20 Q. What about other payment terms? Were 21 they discussed? 22 A. Yes. They were to be, specifically to 23 be circuitous payments so that the Chinese 24 intelligence authorities could not find that he 25 was making payments to any of us.</p>
<p style="text-align: right;">Page 35</p> <p>1 A. MSS, Ministry of State Security. 2 Q. Thanks. Did Strategic Vision or you 3 offer any terms or conditions to providing this 4 service? 5 A. In which way? 6 Q. In other words, you've described what 7 apparently Mr. Guo had requested. Was there 8 anything that Strategic Vision requested in 9 connection with this service? 10 A. From him? 11 Q. Just in connection with providing this 12 investigatory research. For example, price? 13 A. Yeah, of course. 14 MR. SCHMIDT: Do you mean terms that 15 they wanted? 16 MR. GRENDI: Exactly. 17 MR. SCHMIDT: Terms of the contract, 18 did you make any requests at that meeting? 19 A. Sure. We -- and I don't know if it was 20 at that specific meeting or one subsequent to it, 21 but at the time of working out the contract, 22 let's say sometime in December of 2017. And some 23 of it was directly with him and some of it was 24 indirectly through Lianchao, and I can't recall 25 necessarily which was which.</p>	<p style="text-align: right;">Page 37</p> <p>1 Q. But other than the deposit, was there 2 any other financial consideration discussed for 3 Strategic Vision's services, or your services? 4 A. Yes. There was a \$750,000-a-month 5 flat-rate payment that was due at the end of the 6 pay period. 7 Q. And that was discussed at this meeting? 8 A. At one of those meetings. I don't 9 recall specifically which. 10 Q. I just want to go back to this meeting 11 in early December at Mr. Guo's apartment. Were 12 there any other terms and conditions that 13 Strategic Vision wanted in connection with this 14 research agreement? 15 A. Financial terms? 16 Q. Any terms. 17 A. Yes, we wanted to be paid obviously on 18 time, within five days of the end of the pay 19 period. We would not issue a formal invoice to 20 avoid having any paperwork or paper trail 21 directly with him. He would arrange for the 22 payments at the end of the month to be made 23 through a circuitous route for the purpose of 24 avoiding detection by the Chinese authorities. 25 If you want to be more specific, I can</p>

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<p style="text-align: right;">Page 38</p> <p>1 address things more specifically, but offhand I</p> <p>2 can't think of anything else.</p> <p>3 Q. Okay. And in terms of negotiating</p> <p>4 these terms for Strategic Vision, were you taking</p> <p>5 a lead on that or was Ms. Wallop taking the lead</p> <p>6 on that?</p> <p>7 MR. SCHMIDT: Objection.</p> <p>8 A. We teamed it.</p> <p>9 Q. Did you have --</p> <p>10 A. We worked with Lianchao as Guo's agent</p> <p>11 or representative prior to this to determine the</p> <p>12 scope. Then when we met with Guo, he narrowed</p> <p>13 the scope and then we came to the agreement for</p> <p>14 750 a month.</p> <p>15 Q. What was your financial arrangement</p> <p>16 with Strategic Vision in connection with this</p> <p>17 research agreement?</p> <p>18 A. That French Wallop and I would split</p> <p>19 the profits evenly.</p> <p>20 Q. Would it be you personally that would</p> <p>21 split the profits evenly or one of your</p> <p>22 companies?</p> <p>23 A. There were LLCs in my name, so it's</p> <p>24 effectively me paid to one of my LLCs.</p> <p>25 Q. So your understanding through Strategic</p>	<p style="text-align: right;">Page 40</p> <p>1 the profits, did you have a written agreement or</p> <p>2 an oral agreement?</p> <p>3 A. Verbal agreement.</p> <p>4 Q. So there's no written agreement between</p> <p>5 you and Ms. Wallop concerning how you or your</p> <p>6 LLCs would be paid for your services in</p> <p>7 connection with this research agreement?</p> <p>8 A. That's correct.</p> <p>9 Q. Other than the \$300,000 payment, was</p> <p>10 there any other payments from Strategic Vision to</p> <p>11 you or one of your LLCs in connection with this</p> <p>12 research agreement?</p> <p>13 A. Yeah. I can provide those, the</p> <p>14 documentation to that effect.</p> <p>15 (*r) MR. GRENDI: Joe, I'm going to ask for</p> <p>16 the production of Strategic Vision's records</p> <p>17 with respect to these payments.</p> <p>18 MR. SCHMIDT: Okay. I assume you're</p> <p>19 going to follow up with a letter or</p> <p>20 something detailing this, right?</p> <p>21 MR. GRENDI: Once we get the</p> <p>22 transcript, we can do that.</p> <p>23 MR. SCHMIDT: Okay. Because we</p> <p>24 obviously owe you a letter from the last</p> <p>25 deposition too.</p>
<p style="text-align: right;">Page 39</p> <p>1 Vision was half of the money that comes in</p> <p>2 through this research agreement would be paid</p> <p>3 either to you or one of your LLCs?</p> <p>4 A. Half of the profits, yes.</p> <p>5 Q. Profits, okay. So not just revenue.</p> <p>6 Let's just say if the agreement was a million</p> <p>7 dollars, you wouldn't get 500,000. You would get</p> <p>8 some smaller sum based on either overhead or</p> <p>9 other costs?</p> <p>10 A. That's correct.</p> <p>11 Q. How did you plan on accounting for</p> <p>12 that?</p> <p>13 A. Pardon. There were also expenses paid</p> <p>14 to one of my LLCs for the purpose of rerouting</p> <p>15 this through a few channels to avoid detection by</p> <p>16 the Chinese.</p> <p>17 Q. Which LLC was that?</p> <p>18 A. That was one that French and I both set</p> <p>19 up called Georgetown Research LLC.</p> <p>20 Q. How much money was sent to Georgetown</p> <p>21 Research LLC?</p> <p>22 A. I have the statements. I'm guessing</p> <p>23 \$300,000, I'm guessing, but I can provide the</p> <p>24 statements.</p> <p>25 Q. With respect to this agreement to split</p>	<p style="text-align: right;">Page 41</p> <p>1 MR. GRENDI: I understand.</p> <p>2 Q. You said you have records concerning</p> <p>3 these transactions?</p> <p>4 A. The bank statements, yes.</p> <p>5 Q. Just ballpark, all in, do you know</p> <p>6 about how much money was transferred from</p> <p>7 Strategic Vision to you or your LLCs in</p> <p>8 connection with this research agreement?</p> <p>9 A. I would say about that \$300,000 figure</p> <p>10 that I was referring to before was probably it,</p> <p>11 but I would have to check, because the LLCs were</p> <p>12 also used as a pass-through, by design.</p> <p>13 Q. Just in connection with this research</p> <p>14 agreement, how many different LLCs were used?</p> <p>15 A. My own that I control?</p> <p>16 Q. Yes.</p> <p>17 A. Three.</p> <p>18 Q. What are those three?</p> <p>19 A. That would be Oceanic Advisors, Liberty</p> <p>20 Tree Partners, although I don't recall if there</p> <p>21 was a payment made to Liberty Tree, but that</p> <p>22 would have been one, and then Georgetown Research</p> <p>23 which was our joint LLC.</p> <p>24 Q. So why were these funds transferred to</p> <p>25 your LLCs?</p>

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<p style="text-align: right;">Page 42</p> <p>1 A. So that we could make payments to start</p> <p>2 team 1 and to cover all related expenses in</p> <p>3 starting up this project.</p> <p>4 Q. So these payments were not for, as you</p> <p>5 described it earlier, splitting the profits?</p> <p>6 A. That was part of the start-up. We did</p> <p>7 not deplete the funds. There were funds left</p> <p>8 over, but there were all kinds of costs involved</p> <p>9 to start this up. So anything involved in</p> <p>10 starting up this project, we did through this</p> <p>11 means.</p> <p>12 Q. I understand. Correct me if I'm wrong.</p> <p>13 The payments that were made to your three LLCs</p> <p>14 were made in connection with you or your LLCs</p> <p>15 retaining team 1?</p> <p>16 A. Yes. To building and retaining team 1</p> <p>17 and all of its equipment and all associated</p> <p>18 expenses.</p> <p>19 Q. Did there come a time when you received</p> <p>20 payment for splitting the profits?</p> <p>21 A. Yes. I took some of the funds at that</p> <p>22 same time to pay for my own expenses and my own</p> <p>23 work, but it was not a splitting of the profits.</p> <p>24 Q. Right. What I'm asking about is not</p> <p>25 these payments that you just described. What I'm</p>	<p style="text-align: right;">Page 44</p> <p>1 Strategic Vision account, so I wouldn't know. I</p> <p>2 imagine there were some residual things, so the</p> <p>3 profits were not fully -- to the extent there</p> <p>4 were profits, they were not fully split.</p> <p>5 We were cheated out of the first</p> <p>6 month's work and the second month's work, and</p> <p>7 then his failure to give 30-days' notice because</p> <p>8 we were left in limbo. So as far as we're</p> <p>9 concerned, there were no profits because Miles</p> <p>10 Kwok, or Guo cheated us out of our earnings.</p> <p>11 Q. So you don't expect to get any money</p> <p>12 from French Wallop for any profit in connection</p> <p>13 with this engagement?</p> <p>14 A. There's no profit if we were cheated.</p> <p>15 Q. I would appreciate it if you would just</p> <p>16 answer the question directly. Was there no</p> <p>17 profit from this engagement for you or Strategic</p> <p>18 Vision?</p> <p>19 A. You have to define "profit." What were</p> <p>20 our opportunity costs? What were our losses from</p> <p>21 doing work and preparing work for them for which</p> <p>22 we were not compensated, or for not taking on</p> <p>23 other jobs because we were working on Guo's work</p> <p>24 for which he did not compensate us? So it's an</p> <p>25 academic question on what constitutes profit.</p>
<p style="text-align: right;">Page 43</p> <p>1 asking about is was there ever another time when</p> <p>2 you received money from Strategic Vision for</p> <p>3 splitting the profits from this research</p> <p>4 agreement?</p> <p>5 A. Yeah, during the first month of work.</p> <p>6 Q. How much was that payment for?</p> <p>7 A. I don't remember. I have the records.</p> <p>8 Q. But you did -- you do recall receiving</p> <p>9 a payment from Strategic Vision for splitting the</p> <p>10 profits?</p> <p>11 A. To one of the LLCs.</p> <p>12 Q. Is that a "yes," though?</p> <p>13 A. "Splitting the profits" is the wrong</p> <p>14 term. It was for the first months of our own</p> <p>15 compensation. One of the issues was we wanted to</p> <p>16 be paid one month in advance. Guo objected. We</p> <p>17 still had to pay ourselves for that month's work.</p> <p>18 I'm speaking for myself. I'm not speaking for</p> <p>19 Ms. Wallop or Strategic Vision.</p> <p>20 Q. I understand. I just want to make the</p> <p>21 record clear. Did there ever come a time when</p> <p>22 the profits from this research agreement were</p> <p>23 split between you and Strategic Vision?</p> <p>24 A. Yes, but there are still funds left</p> <p>25 that were not spent. I don't have access to the</p>	<p style="text-align: right;">Page 45</p> <p>1 Q. Let me ask you this. Do you expect</p> <p>2 Strategic Vision to send you any payment in the</p> <p>3 future in connection with, quote-unquote "profit"</p> <p>4 from this engagement?</p> <p>5 A. If Guo pays what he owes yes, I do. He</p> <p>6 owes us \$2 million in failure to pay and failure</p> <p>7 to give notice that he was terminating the</p> <p>8 contract in 30 days. If and when he pays that,</p> <p>9 yes, I expect to receive my share of the profit.</p> <p>10 That's how we operate.</p> <p>11 Q. Let's just say the only money that</p> <p>12 Strategic Vision has is the million dollars. Is</p> <p>13 there any profit to split?</p> <p>14 A. Not anymore, not with this legal case.</p> <p>15 Q. Did you and Strategic Vision ever</p> <p>16 detail how profit would be defined, in terms of</p> <p>17 splitting the profits from this engagement?</p> <p>18 A. In terms of dividing up the revenues</p> <p>19 from this engagement, it would be a 50/50 split</p> <p>20 after expenses.</p> <p>21 Q. Expenses, okay. What expenses would</p> <p>22 those be?</p> <p>23 A. The research teams, any travel, any</p> <p>24 legal, any contractors, any equipment, any</p> <p>25 leases, any security measures, anything related</p>

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<p style="text-align: right;">Page 46</p> <p>1 to running the business.</p> <p>2 Q. And I guess legal fees --</p> <p>3 A. To executing this contract.</p> <p>4 Q. I would guess legal fees are apparently</p> <p>5 a part of that?</p> <p>6 A. It's a part of running a business.</p> <p>7 Q. I'm asking about what you and --</p> <p>8 A. Legal fees are part of running a</p> <p>9 business, yeah. They happen to be, yeah.</p> <p>10 MR. GRENDI: Let's do number 2.</p> <p>11 (Waller Exhibit 2, Research Agreement</p> <p>12 December 29, 2017, marked for</p> <p>13 identification.)</p> <p>14 Q. Mr. Waller, do you recognize this</p> <p>15 document?</p> <p>16 A. Yes.</p> <p>17 Q. What is it?</p> <p>18 A. This is the research agreement that I</p> <p>19 was referring to before dated December 29th.</p> <p>20 It's the signed and initialed agreement between</p> <p>21 French Wallop and Yvette Wang, who was working as</p> <p>22 the agent of Miles Kwok, dated January 6, 2018.</p> <p>23 Q. So this is different from the draft</p> <p>24 agreement I had showed you earlier, Exhibit 1?</p> <p>25 A. It's not the exact same agreement.</p>	<p style="text-align: right;">Page 48</p> <p>1 research subjects are referred to as "Fish." Do</p> <p>2 you see that on -- call it Eastern 7? It's the</p> <p>3 third page.</p> <p>4 A. Yes.</p> <p>5 Q. Where does that term "fish" come from?</p> <p>6 A. That was Guo's term. It's admittedly a</p> <p>7 very weird term to put in a contract.</p> <p>8 Q. You kind of anticipated my follow-up</p> <p>9 question. Have you ever done a contract that</p> <p>10 referred to research subject as "fish"?</p> <p>11 A. No.</p> <p>12 Q. So this is the first one that you</p> <p>13 ever --</p> <p>14 A. For fish?</p> <p>15 Q. Yes.</p> <p>16 A. Yes. I mean, I wasn't going to deliver</p> <p>17 him flounder as a deliverable, no.</p> <p>18 Q. Right. And the contract refers to</p> <p>19 "fish in the tank per year." Do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. What does the "tank" mean in that</p> <p>22 context?</p> <p>23 A. This was a metaphor that Guo had in our</p> <p>24 discussions with him about the number of people</p> <p>25 to be researched at any given time and in the</p>
<p style="text-align: right;">Page 47</p> <p>1 Q. So there was subsequent negotiation of</p> <p>2 this agreement after the first draft that we've</p> <p>3 showed you was drafted?</p> <p>4 A. This draft, this January 1st draft,</p> <p>5 Exhibit Waller 1 is dated after the signed</p> <p>6 agreement, Waller Exhibit 2, so I don't know what</p> <p>7 you mean by "first draft."</p> <p>8 Q. But you don't know if Exhibit 1 was</p> <p>9 drafted before or after the signed agreement?</p> <p>10 A. I don't know. It would appear here you</p> <p>11 fill in the blanks, and there are several blank</p> <p>12 areas. I have not read the text to compare the</p> <p>13 text, but obviously the December 29th agreement</p> <p>14 looks more complete than the one that's dated</p> <p>15 January 1st.</p> <p>16 Q. Were you physically present when</p> <p>17 Exhibit 2 was signed?</p> <p>18 A. No.</p> <p>19 Q. Were you telephonically involved or</p> <p>20 telephonically present when this Exhibit 2 was</p> <p>21 signed?</p> <p>22 A. No. I was not present in any way,</p> <p>23 shape or form, human or electronic.</p> <p>24 Q. Good to know.</p> <p>25 Just looking at the agreement, the</p>	<p style="text-align: right;">Page 49</p> <p>1 three categories outlined in the contract. So if</p> <p>2 you had ten individuals and three categories,</p> <p>3 there would be 30 -- a set of 30. But on</p> <p>4 occasion, it would be impossible to research</p> <p>5 certain of them, so you might only research eight</p> <p>6 or he might want 12.</p> <p>7 There would still be the same number of</p> <p>8 deliverables, though, so it wouldn't be all three</p> <p>9 items on all of them. It might be only one or</p> <p>10 two on some or there might be more people. So</p> <p>11 you have a, in his words, a water level in the</p> <p>12 tank that is constant.</p> <p>13 Q. Would that also perhaps be referred to</p> <p>14 as a "waterline"? Have you ever heard that term</p> <p>15 "waterline"?</p> <p>16 A. I don't know the difference.</p> <p>17 Q. So you and Ms. Wallop had never heard</p> <p>18 of this kind of jargon in connection with the</p> <p>19 investigatory research project?</p> <p>20 A. Never. It was very strange.</p> <p>21 Q. Did you guys ever talk about how</p> <p>22 strange you thought that was?</p> <p>23 A. Wouldn't you? Yes.</p> <p>24 Q. What was the nature of that</p> <p>25 conversation between you and Ms. Wallop about</p>

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<p style="text-align: right;">Page 50</p> <p>1 these terms being strange?</p> <p>2 A. Any normal person would have a -- you</p> <p>3 can imagine, if that was his way to quantify the</p> <p>4 agreement and we put it down, then that was okay.</p> <p>5 He was the client. We all understood each other.</p> <p>6 If you had a, let's say a body of ten names times</p> <p>7 three issues per -- so that's 30 deliverables --</p> <p>8 and you couldn't find information on five of</p> <p>9 them, you go to the next five, but you're really</p> <p>10 researching 15 people but not on every single</p> <p>11 category. So you would have 15 people for, say,</p> <p>12 an average of two categories per for a total of</p> <p>13 15, and that's what the fish would be. Or the</p> <p>14 subject would be the fish times three.</p> <p>15 Q. Let me ask you this, then. What term</p> <p>16 would you normally use in a research agreement</p> <p>17 like this to describe what is referred to here as</p> <p>18 the "fish" or the "tank" or the "waterline"?</p> <p>19 A. I would say "subject" or "individual"</p> <p>20 or "target," something more...</p> <p>21 Q. And in other agreements you used those</p> <p>22 terms, not fish?</p> <p>23 A. Never, no, no. In my mind I thought it</p> <p>24 was sort of just a Chinese way of illustrating</p> <p>25 something and it was a cultural difference, and</p>	<p style="text-align: right;">Page 52</p> <p>1 it. We tried to explain all the methodology to</p> <p>2 him, and he didn't want to know the methodology.</p> <p>3 He just wanted the product.</p> <p>4 MR. GRENDI: Do you need a break?</p> <p>5 MR. SCHMIDT: No.</p> <p>6 Q. You said before you've worked on two</p> <p>7 similar projects with Strategic Vision?</p> <p>8 A. Not similar to this, but similar in</p> <p>9 terms of opposition research or messaging.</p> <p>10 Q. So let's drill down on that. Have you</p> <p>11 ever performed investigatory research for</p> <p>12 Strategic Vision that entailed what's described</p> <p>13 in the research agreement as financial, forensic,</p> <p>14 historical research?</p> <p>15 A. Not for Strategic Vision. That's why</p> <p>16 she brought me on board, to perform that type of</p> <p>17 work.</p> <p>18 Q. What about for current tracking</p> <p>19 research? The same answer or different?</p> <p>20 A. Current tracking, no. I had not done</p> <p>21 that. That's what we got the team members to do.</p> <p>22 Q. What about social media research?</p> <p>23 A. Yes.</p> <p>24 Q. Let's just talk about -- going to</p> <p>25 Eastern 5 -- the financial, forensic historical</p>
<p style="text-align: right;">Page 51</p> <p>1 we went along, okay, if you want to call it</p> <p>2 "fish," we'll call it "fish."</p> <p>3 Q. So you or Ms. Wallop didn't object to</p> <p>4 this terminology?</p> <p>5 A. No. If that's the way he understood</p> <p>6 it, then that was fine with us.</p> <p>7 Q. In your view, is Strategic Vision very</p> <p>8 experienced in providing the research</p> <p>9 contemplated by this agreement?</p> <p>10 A. I don't know what Strategic Vision has</p> <p>11 done in the past on this, but in terms of French</p> <p>12 Wallop being able to deliver on her contacts in</p> <p>13 the political and policy and diplomatic and</p> <p>14 intelligence communities, absolutely, yes. In</p> <p>15 terms of my capabilities to be brought on as a</p> <p>16 contractor with Strategic Vision for the</p> <p>17 remainder of the deliverables, absolutely, yes.</p> <p>18 Q. Did you convey that confidence in</p> <p>19 providing this sort of research to Mr. Guo or</p> <p>20 Lianchao or Yvette Wang prior to the execution of</p> <p>21 this agreement?</p> <p>22 A. Yes, we explained it explicitly. In</p> <p>23 fact, we were so detailed in explaining it, Guo</p> <p>24 said, "I don't want to know it. I don't want to</p> <p>25 know it. Just go do it." He got impatient about</p>	<p style="text-align: right;">Page 53</p> <p>1 research. I'm sorry, the document is Eastern 5</p> <p>2 on the bottom right corner there. It's page 1.</p> <p>3 When I'm referring to either "Eastern"</p> <p>4 or "Strategic Vision" X number, I'm talking about</p> <p>5 the Bates number that's in the right-hand corner</p> <p>6 there, just so you can follow along.</p> <p>7 A. Okay.</p> <p>8 Q. Do you see financial, forensic</p> <p>9 historical research there?</p> <p>10 A. Yes.</p> <p>11 Q. This description of it, was that</p> <p>12 drafted in conjunction with a conversation you</p> <p>13 had with plaintiff here?</p> <p>14 A. I would say conversations plural and</p> <p>15 with Lianchao who was acting as his agent.</p> <p>16 Q. Who is Lianchao Han?</p> <p>17 A. Lianchao Han was a former Chinese</p> <p>18 foreign ministry official who was a political</p> <p>19 prisoner in China. He spent four years doing</p> <p>20 slave labor in the Gulag there, breaking rocks.</p> <p>21 He became involved in the democracy</p> <p>22 movement. He was a Tiananmen Square student</p> <p>23 protest organizer. I first met him about 30</p> <p>24 years ago. I did not keep contact with him, but</p> <p>25 we traveled in the same universe of people, so we</p>

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<p style="text-align: right;">Page 54</p> <p>1 had a familiarity with each other and each 2 other's work.</p> <p>3 He was working with Guo. Guo was 4 trying to hire him. He was not, to my knowledge, 5 paid by Guo and did not want to be, but he was 6 acting as Guo's agent to set up this arrangement 7 and to serve as Guo's interpreter.</p> <p>8 Q. Does Mr. Guo speak English well? 9 A. He speaks it well but not fluent. You 10 can have a conversation with him and he can read 11 it fine, but he cannot -- he would need 12 assistance of an interpreter.</p> <p>13 Q. So you've spoken to Mr. Guo in English 14 before? 15 A. Yes.</p> <p>16 Q. But did you have any kind of difficulty 17 understanding what he was saying or struggle with 18 his English? 19 A. Yeah, he would struggle with his 20 English, and that's why Lianchao or Yvette would 21 be present during the meetings.</p> <p>22 Q. So Lianchao and Yvette were 23 interpreters for Mr. Guo, as you understood it? 24 A. In addition to serving as his agents to 25 work with us.</p>	<p style="text-align: right;">Page 56</p> <p>1 be defined was never intended as a finished 2 analytical essay or bound type of report that one 3 would be accustomed to in a legal or business or 4 an academic environment. It was simply raw data 5 passed on a USB thumb drive, a flash drive from 6 team 1 through me straight to Guo or his agent.</p> <p>7 He did not want an analytical product 8 in terms of the short-term reports.</p> <p>9 Q. Does this research agreement define 10 what a progress report will have in it? 11 MR. SCHMIDT: Objection.</p> <p>12 A. I mean, it says what it says, a 13 progress report. I want to know the status. How 14 are things? Well, great. Everybody's recruited. 15 They're in place. They've begun working. It 16 takes X number of days to do this, which we told 17 him in advance. We told him something specific 18 would take six days to do.</p> <p>19 By day 2, Guo was getting impatient. 20 So we were giving him the reports to let him know 21 how the team was coming together. And then once 22 the team started digging up information -- it's 23 an extremely time-consuming task. He knew that, 24 so we gave him the information on the sticks 25 right after he asked for it.</p>
<p style="text-align: right;">Page 55</p> <p>1 Q. Just going back to the financial, 2 forensic historical research, has Strategic 3 Vision provided that service in the past? 4 A. I can't speak for Strategic Vision. 5 Q. What about for you personally? 6 A. Yes, as part of another -- as part of 7 other teams.</p> <p>8 Q. I just want to talk about the reports 9 referenced on the next page concerning financial, 10 forensic historical research.</p> <p>11 Do you see the first full paragraph on 12 Eastern 6, "Contractor will produce a progress 13 report"? 14 A. Yes.</p> <p>15 Q. What did you understand a progress 16 report would include or entail? 17 A. The progress reports were to be on 18 roughly a weekly basis to let him know the 19 progress of how the project was going underway. 20 Initially, the progress reports were simply this 21 is the progress. We're setting up the team. We 22 got the funds moved. We've recruited the right 23 people. They're in place and so forth.</p> <p>24 And then the -- so those were the 25 progress reports, and then the, quote, reports to</p>	<p style="text-align: right;">Page 57</p> <p>1 Q. Right. I just want to understand. Do 2 you recall a specific discussion with Mr. Guo or 3 Lianchao or Yvette regarding what would be in a 4 progress report prior to the execution of this 5 research agreement? 6 A. Yeah, the progress report is simply 7 what's the status of the project.</p> <p>8 Q. That's not exactly what I asked. 9 A. It would be a verbal -- it would be a 10 verbal status report and anything on a stick that 11 the researchers came up with in its raw form, not 12 in an analyzed synthesized form.</p> <p>13 Q. I think you're missing my question a 14 little bit, so let me just ask it again.</p> <p>15 Do you recall telling Mr. Guo or 16 Yvette Wang or Mr. Lianchao what you understood 17 would be in a progress report? 18 A. Yes.</p> <p>19 Q. When was that? 20 A. That was in -- that was before the 21 contract in December, and it was after the 22 contract was signed.</p> <p>23 Q. Let's talk about before. When was it 24 that you -- well, who did you tell about what a 25 progress report would entail before the contract</p>

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<p style="text-align: right;">Page 58</p> <p>1 was signed?</p> <p>2 A. For the first part of it, for the setup</p> <p>3 part of it, it was merely to tell him the status</p> <p>4 of putting the team together. It's a very</p> <p>5 complicated task to do. And because of his own</p> <p>6 security requirements, which was that everything</p> <p>7 be delivered on a USB port physically -- a USB</p> <p>8 drive physically and not done online -- nothing</p> <p>9 would be done over the internet -- that meant</p> <p>10 physically traveling to a European country to</p> <p>11 pick up the drive and then returning to New York</p> <p>12 to deliver it to Guo or one of his agents.</p> <p>13 Q. Mr. Waller, I'm not trying to be</p> <p>14 difficult here. I'm trying to understand when</p> <p>15 you were told -- or when you told, I'm sorry.</p> <p>16 You said before you told either Mr. Guo or</p> <p>17 Lianchao or Ms. Yvette Wang about what a weekly</p> <p>18 progress report included.</p> <p>19 A. Right.</p> <p>20 Q. And I'm asking you, when did you do</p> <p>21 that and who did you tell?</p> <p>22 A. It would have been in December at some</p> <p>23 point prior to the contract.</p> <p>24 Q. Okay.</p> <p>25 A. But it was a casual, it was a casual</p>	<p style="text-align: right;">Page 60</p> <p>1 A. Oh, no, it was never spelled out.</p> <p>2 Q. What about --</p> <p>3 A. Now, for a progress report versus</p> <p>4 reports. Those are two different things.</p> <p>5 Q. I understand. I was going to ask you</p> <p>6 next about what the financial, forensic research</p> <p>7 preliminary report was.</p> <p>8 A. The preliminary report was the status</p> <p>9 of how the research is going, how we set it up,</p> <p>10 where we're digging, how we're digging, what we</p> <p>11 were able to find, and what we were able to not</p> <p>12 find.</p> <p>13 One of the issues we anticipated -- and</p> <p>14 it's addressed here in the contract two or three</p> <p>15 times -- is there will be times where it's</p> <p>16 impossible to find information or extremely</p> <p>17 difficult or time-consuming. It will take weeks</p> <p>18 or months to find certain information, and this</p> <p>19 was understood.</p> <p>20 So we would report back to him. In the</p> <p>21 initial stage, we just started up this operation.</p> <p>22 We don't have the -- there was never an</p> <p>23 expectation that there would be all the</p> <p>24 information in hand right away. He developed</p> <p>25 that expectation afterward when he was making</p>
<p style="text-align: right;">Page 59</p> <p>1 thing. We're going to give you a progress</p> <p>2 report. He was concerned that he was going to</p> <p>3 get ripped off, so he wanted proof that he wasn't</p> <p>4 getting ripped off. So he wanted to know the</p> <p>5 status of everything as we were putting</p> <p>6 everything together. That's fair enough.</p> <p>7 So if he were to say -- or he did say</p> <p>8 and through Lianchao and then through Yvette, --</p> <p>9 although there was a difference between the</p> <p>10 two -- what's the status of things. So we would</p> <p>11 tell him verbally the status of the situation.</p> <p>12 Then that would get into the second type of</p> <p>13 report, preliminary report which was on that USB</p> <p>14 drive.</p> <p>15 Q. What did you describe would be in a</p> <p>16 progress report to Mr. Guo or Lianchao or</p> <p>17 Ms. Yvette prior to the execution of this</p> <p>18 agreement?</p> <p>19 A. The status of the project as of that</p> <p>20 day.</p> <p>21 Q. That's all?</p> <p>22 A. Yeah, very simple.</p> <p>23 Q. So you didn't describe it in any kind</p> <p>24 of detail as to the progress report will have</p> <p>25 these metrics?</p>	<p style="text-align: right;">Page 61</p> <p>1 demands.</p> <p>2 Q. Let me just hop in.</p> <p>3 MR. SCHMIDT: Are you finished? Just</p> <p>4 let him finish his answer and then you can</p> <p>5 follow up.</p> <p>6 Do you have anything further?</p> <p>7 A. Yes, he kept deviating in what he</p> <p>8 wanted. He never made it clear to us precisely</p> <p>9 what he wanted. He's an erratic personality</p> <p>10 anyway, so we learned to expect that.</p> <p>11 Q. Mr. Waller, I just want you to answer</p> <p>12 the question I'm asking you.</p> <p>13 A. Yes.</p> <p>14 Q. I just asked you before what would be</p> <p>15 in a preliminary report. That's what I'm trying</p> <p>16 to get at here.</p> <p>17 A. Versus a progress report?</p> <p>18 Q. Yes.</p> <p>19 A. A preliminary report is simply what did</p> <p>20 the research team dig up, the raw data that they</p> <p>21 dug up on the USB port. That is the, quote,</p> <p>22 report. No analytical product, no printed</p> <p>23 product. He didn't want paper.</p> <p>24 A lot of the material was in Mandarin.</p> <p>25 We did not have a team for that. That was</p>

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Page 62	<p>1 stipulated also in the contract. We ended up</p> <p>2 needing one. So it was just the raw data</p> <p>3 regardless of how much or how little, as we were</p> <p>4 building it up.</p> <p>5 Q. Before the contract was signed, do you</p> <p>6 recall ever explaining what would be in a</p> <p>7 preliminary report to Mr. Guo or Lianchao or</p> <p>8 Yvette Wang?</p> <p>9 A. Yes.</p> <p>10 Q. When was that?</p> <p>11 A. Sometime in December.</p> <p>12 Q. And this was you personally?</p> <p>13 A. Yeah, yes, yes, because I was</p> <p>14 supervising team 1.</p> <p>15 Q. Was there any disagreement about what a</p> <p>16 preliminary report should be constituted by</p> <p>17 between you and Mr. Guo or Waller -- sorry,</p> <p>18 Mr. Guo, Lianchao or Yvette?</p> <p>19 A. Not prior to the contract.</p> <p>20 Q. So you didn't have a discussion about</p> <p>21 what would be in a preliminary report?</p> <p>22 A. Yes. Send what you have. Send what</p> <p>23 you come up with.</p> <p>24 Q. That was after the execution of the</p> <p>25 agreement, right?</p>	Page 64	<p>1 A. I am.</p> <p>2 Q. I appreciate that.</p> <p>3 A. You're trying to pin me down on</p> <p>4 something I've already answered five times, which</p> <p>5 is that the report is simply the data that we</p> <p>6 got, for better or for worse, delivered on a USB</p> <p>7 drive. That's it; no more, no less.</p> <p>8 Q. What about the comprehensive historical</p> <p>9 research report within three months?</p> <p>10 A. That would be all of the information</p> <p>11 collected up to that period and collated.</p> <p>12 Q. And again, I want to ask about whether</p> <p>13 you had a discussion about what would be in a</p> <p>14 comprehensive historical research report prior to</p> <p>15 the execution of this agreement.</p> <p>16 Do you recall having that discussion?</p> <p>17 A. Yes, that was just delivering him the</p> <p>18 raw data, but collated. Let's say, for example,</p> <p>19 we dig up a lot of information on various of the</p> <p>20 individuals, but it's not collated. We simply</p> <p>21 collate it. So in our first deliverable to him,</p> <p>22 we had the electronic files for each of the 15</p> <p>23 targets, or fish, so we were going to build out</p> <p>24 from that.</p> <p>25 Q. So in your mind, I think you're talking</p>
Page 63	<p>1 A. No, that was before. The preliminary</p> <p>2 report is send us what you found. For better or</p> <p>3 for worse, send it. If it's a little or a lot,</p> <p>4 send it.</p> <p>5 Q. So you and Eastern discussed that?</p> <p>6 A. Not Eastern. With Guo. I discussed it</p> <p>7 directly with Guo and/or through Lianchao or</p> <p>8 Yvette.</p> <p>9 Q. I just want to be clear. You're saying</p> <p>10 that was before the execution agreement?</p> <p>11 A. Yes.</p> <p>12 Q. Do you recall where that representation</p> <p>13 or discussion occurred?</p> <p>14 A. That would have been with him directly</p> <p>15 at his residence, with either -- French Wallop</p> <p>16 was present whenever I was, and it would have</p> <p>17 either been with Lianchao and/or Yvette.</p> <p>18 Sometimes both were in the room. Sometimes Kwok</p> <p>19 dismissed Yvette because he didn't trust her. So</p> <p>20 on sensitive matters, he kept her out of a lot of</p> <p>21 these things because he said he didn't trust her.</p> <p>22 Q. Mr. Waller, I'm just going to ask</p> <p>23 again. Please just answer the question. You're</p> <p>24 offering a lot of other information. I know</p> <p>25 you're trying to be helpful.</p>	Page 65	<p>1 about the January 30, 2018 delivery that you made</p> <p>2 to Yvette Wang at Tracks Bar in New York City?</p> <p>3 A. Yes.</p> <p>4 Q. And you're saying that data --</p> <p>5 A. Repeat that because that would have</p> <p>6 been the second deliverable.</p> <p>7 Q. You're saying that that was a -- what</p> <p>8 kind of report was that?</p> <p>9 A. That was a USB drive with about 60 or</p> <p>10 80,000 lines of code, of which about 16 lines of</p> <p>11 code were useful. I notified them in advance. I</p> <p>12 said to them, "No sense in going to Europe just</p> <p>13 for that because only 16 lines are useful. Let</p> <p>14 us work those 16 lines." They said, "No, we want</p> <p>15 to have it anyway." So I went over to Europe,</p> <p>16 picked it up and brought it back.</p> <p>17 Q. In your mind, though, what kind of</p> <p>18 report was that USB flash drive that you gave to</p> <p>19 Yvette Wang on or about January 30, 2018?</p> <p>20 A. That was a report that we're referring</p> <p>21 to right here.</p> <p>22 Q. Which one? Is it a progress report? A</p> <p>23 preliminary report? A comprehensive report? A</p> <p>24 research report?</p> <p>25 A. That would have been a preliminary</p>

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<p style="text-align: right;">Page 66</p> <p>1 report. That would have been one of the weekly</p> <p>2 reports.</p> <p>3 Q. Have you ever provided reports of this</p> <p>4 nature to other clients in this format of</p> <p>5 progress report, preliminary report,</p> <p>6 comprehensive historical research report?</p> <p>7 A. Progress reports, of course, yes.</p> <p>8 Preliminary reports, of course, but in a</p> <p>9 different way. It was not just raw data. It was</p> <p>10 more defined. Then the comprehensive historical</p> <p>11 research report, analogous reports to this type</p> <p>12 of wording, yes. You can even say comprehensive</p> <p>13 historical research report, yeah, that would be</p> <p>14 fine.</p> <p>15 Q. So in your mind, is this kind of like a</p> <p>16 standard industry practice in terms of providing</p> <p>17 investigatory research?</p> <p>18 A. Yes. Now, where it's tailored to the</p> <p>19 client, you're going to deviate from the</p> <p>20 standard, like using the word "fish."</p> <p>21 Q. What about the current tracking</p> <p>22 research? You see a little bit lower down there,</p> <p>23 there's a discussion of producing monthly</p> <p>24 reports?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 68</p> <p>1 physically go to Europe to pick up the drive and</p> <p>2 then deliver it back to Guo or his agents.</p> <p>3 Q. Would you do any analytical work or</p> <p>4 analysis of the report itself, or did you just,</p> <p>5 as you described, just kind of pass it along?</p> <p>6 A. I simply acted as a pass-through for</p> <p>7 delivering that. We had envisioned doing -- in</p> <p>8 terms of analytical work, if there was to be</p> <p>9 paper as opposed to electronic information, I</p> <p>10 would be collecting that and making sense of</p> <p>11 that, but none of the computer work.</p> <p>12 Q. What about the preliminary reports?</p> <p>13 Would you provide any analysis or use any of your</p> <p>14 kind of experience in this field to create or</p> <p>15 edit or do anything with those reports?</p> <p>16 A. We had talked about doing that. Guo</p> <p>17 specifically instructed us not to.</p> <p>18 Q. So again, you didn't edit or provide</p> <p>19 any insight in terms of the data that you were</p> <p>20 getting from team 1. You just, again, passed it</p> <p>21 along?</p> <p>22 A. Yes. He didn't want it. He just</p> <p>23 wanted it passed straight to him. Now --</p> <p>24 Q. Go ahead.</p> <p>25 A. Let me put a caveat on that.</p>
<p style="text-align: right;">Page 67</p> <p>1 Q. Except the first month where there will</p> <p>2 be weekly reports?</p> <p>3 A. Right.</p> <p>4 Q. What was your understanding of what the</p> <p>5 weekly reports would entail?</p> <p>6 A. First it would be a status report until</p> <p>7 we were able to make the deep dives into the</p> <p>8 research.</p> <p>9 Q. What about the monthly reports?</p> <p>10 A. That would basically be a compilation</p> <p>11 of the weekly reports and then anything that was</p> <p>12 integratable in its raw form, we would submit.</p> <p>13 Q. In terms of completing -- let's just</p> <p>14 start with a weekly report. How would that be</p> <p>15 completed? In other words, who does the work to</p> <p>16 put together that report?</p> <p>17 A. Team 1. Team 1 did the work because it</p> <p>18 was simply raw data. There was no analytical</p> <p>19 product.</p> <p>20 Q. What was your role in connection with</p> <p>21 any weekly reports? What would you do?</p> <p>22 A. I was the one you would -- I was the</p> <p>23 liaison with team 1. I would deliver Guo's</p> <p>24 instructions to team 1. I would get any</p> <p>25 information back from them, and then I would</p>	<p style="text-align: right;">Page 69</p> <p>1 Q. Sure.</p> <p>2 A. When we found a dead end or we found an</p> <p>3 issue like bad names, names that were either not</p> <p>4 real or spelled wrong or seemed to be the same</p> <p>5 name among one or more different people, or two</p> <p>6 or more different people, whether it's two people</p> <p>7 with the same name or one person using two</p> <p>8 persona, or if we found that some of the</p> <p>9 information he gave us was false or inaccurate,</p> <p>10 that's when I would get involved and deliver that</p> <p>11 to him, as well as whatever information.</p> <p>12 For example, he gave us copies of</p> <p>13 passports of certain of the targets that he</p> <p>14 wanted, and so we checked and found that some of</p> <p>15 the passports were false. So that was an</p> <p>16 analytical piece of work that I did or had other</p> <p>17 team members do apart from this. I delivered</p> <p>18 that separately, so that's apart from the raw</p> <p>19 data. We were trying to be as comprehensive as</p> <p>20 we could for him.</p> <p>21 Q. So in other words, in terms of applying</p> <p>22 your experience and background in this field,</p> <p>23 that's where you would kind of participate in</p> <p>24 focusing or refocusing one of these reports?</p> <p>25 A. Right. Or if the team had said, we</p>

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<p>1 found a lot of -- we were able to get information</p> <p>2 on one of the individuals in Kwok's list -- there</p> <p>3 were, if I recall correctly, about 92 names -- he</p> <p>4 wanted the top 15 to research.</p> <p>5 But he did say some of the people</p> <p>6 further down in this chain might be of</p> <p>7 importance. If you find anything, let me know.</p> <p>8 So we found, yeah, there's one guy, Frank Suen,</p> <p>9 S-u-e-n, who was a particular -- became a</p> <p>10 particular object of interest. So I delivered</p> <p>11 that news to Kwok, and said, "This is the kind of</p> <p>12 information they got on him. How do you want to</p> <p>13 dig on him? What else would you like to find?"</p> <p>14 That was all verbal. I delivered it.</p> <p>15 So when you refer to "reports" in quotes, it was</p> <p>16 verbal. But in person, either to Kwok directly</p> <p>17 or to one of his two agents.</p> <p>18 Q. So in terms of -- the reports didn't</p> <p>19 have to be written?</p> <p>20 A. Correct.</p> <p>21 Q. What about your role in the</p> <p>22 comprehensive historical research report? What</p> <p>23 would you do for one of those reports? What</p> <p>24 would you do?</p> <p>25 A. First of all, the contract didn't last</p>	<p>1 this one, or the team went and did on its own.</p> <p>2 Because it would take at least five</p> <p>3 days or a week traveling, stopping what they're</p> <p>4 doing, traveling to a common point in Europe,</p> <p>5 coming back here, delivering, and then consulting</p> <p>6 with Guo and his agents, and then going back to</p> <p>7 deliver the information to team 1. That takes at</p> <p>8 least a week just to deliver a message, round</p> <p>9 trip.</p> <p>10 So that would be immediate-term</p> <p>11 reporting, say, weekly or monthly-type, quote,</p> <p>12 reporting. The comprehensive one is now we got a</p> <p>13 big picture of it. This is what we found.</p> <p>14 Q. So you would be, let's say,</p> <p>15 synthesizing the research for one of these</p> <p>16 comprehensive reports?</p> <p>17 A. Yeah, synthesizing what the team had</p> <p>18 concluded or told me, but not synthesizing the</p> <p>19 raw data that the teams came up with, yes.</p> <p>20 Q. Got it. In terms of your relationship</p> <p>21 with Strategic Vision, who was going to do</p> <p>22 that -- let's call it -- report synthesis, or</p> <p>23 that work?</p> <p>24 A. Generally me. But what French Wallop</p> <p>25 would do was she had her own contacts elsewhere</p>
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<p>1 three months for that to be produced. The way in</p> <p>2 working with any client is that things will adapt</p> <p>3 and you find new problems or solutions or needs</p> <p>4 or discoveries or whatever, opportunities, and</p> <p>5 you think, how would you like this done.</p> <p>6 So for the comprehensive historical</p> <p>7 research report, it would be a summary of the raw</p> <p>8 stuff that we got based on what the researchers</p> <p>9 told us, but not a summary of the raw computer</p> <p>10 data itself because Guo didn't want that</p> <p>11 analyzed. Meaning we were able to track targets</p> <p>12 1, 2, 7, 8, 9 well, and we got this level of work</p> <p>13 here. Or we have some leads here, but it's going</p> <p>14 to take longer than we expected. Some of these</p> <p>15 people are impossible to find. Or this person</p> <p>16 appears to be a false person. So that would be a</p> <p>17 comprehensive report.</p> <p>18 For the point of doing the actual</p> <p>19 research for the short-term, we would bring that</p> <p>20 up if there was trouble right away, which we did.</p> <p>21 But for a comprehensive one when we're getting a</p> <p>22 bigger picture of the type of research we're</p> <p>23 doing and the universe of people being</p> <p>24 researched, we're finding oh, we might be going</p> <p>25 after a false target here. Let's go down after</p>	<p>1 throughout the U.S. government and other</p> <p>2 governments. So what we did for</p> <p>3 comprehensiveness of the research and to</p> <p>4 double-check to make sure that we were on the</p> <p>5 right path or not, we would consult with members</p> <p>6 of -- or people associated with intelligence</p> <p>7 services of the U.S. and other countries.</p> <p>8 Q. I see. So it was kind of two --</p> <p>9 A. She can speak more to that. She had</p> <p>10 most of those contacts.</p> <p>11 Q. It sounds to me like it's two methods</p> <p>12 of acquiring information?</p> <p>13 A. More than two.</p> <p>14 Q. Well, let's call it two categories.</p> <p>15 There is the -- I'll call it Mr. Waller category</p> <p>16 doing the work that you just described, and then</p> <p>17 Ms. Wallop would do her category of research</p> <p>18 using her network of people in politics or</p> <p>19 government to get information. Is that fair to</p> <p>20 say or do I have it wrong?</p> <p>21 A. In a law firm, you get defense</p> <p>22 attorneys and litigators, so you have different</p> <p>23 people with different skills, but they're in the</p> <p>24 same general field.</p> <p>25 Q. Right. They're collaborating, but they</p>

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<p style="text-align: right;">Page 74</p> <p>1 kind of do different things?</p> <p>2 A. Right.</p> <p>3 Q. Got it.</p> <p>4 MR. GRENDI: Why don't we take a brief</p> <p>5 break and come back in five minutes.</p> <p>6 THE VIDEOGRAPHER: Off the record at</p> <p>7 11:28.</p> <p>8 (Whereupon, a short recess was taken.)</p> <p>9 THE VIDEOGRAPHER: Back on the record</p> <p>10 at 11:37.</p> <p>11 Q. Mr. Waller, just to remind you you're</p> <p>12 still under oath here.</p> <p>13 A. Yes.</p> <p>14 Q. Have you ever met anyone who works for</p> <p>15 Strategic Vision, other than Ms. Wallop?</p> <p>16 A. No.</p> <p>17 Q. Going back to this contract, Waller 2.</p> <p>18 Can you turn to Eastern 5, which is the first</p> <p>19 page. Do you see where it says, "Any and all</p> <p>20 materials provided by the client to the</p> <p>21 contractor will be treated with absolute</p> <p>22 confidentiality and will not be shared by the</p> <p>23 contractor with any other entity"?</p> <p>24 A. Yes.</p> <p>25 Q. Do you recall drafting this provision</p>	<p style="text-align: right;">Page 76</p> <p>1 nature of this contract because I am not, I am</p> <p>2 not part of Strategic Vision.</p> <p>3 Q. Right.</p> <p>4 A. But having been part of putting the</p> <p>5 arrangement together, there's a team that's the</p> <p>6 entity.</p> <p>7 Q. So you understood that Strategic Vision</p> <p>8 U.S. LLC also entailed whoever it is that they</p> <p>9 subcontracted work to?</p> <p>10 MR. SCHMIDT: Objection.</p> <p>11 A. Not even Mrs. Wallop knows the</p> <p>12 identities of many of the people on the team.</p> <p>13 Not even I know some of them. That's how tight</p> <p>14 we kept it. Guo gave us the research material</p> <p>15 that, in order to execute the contract, we had to</p> <p>16 provide to the people doing the research.</p> <p>17 Q. But you don't know who those people</p> <p>18 are, the people doing the research?</p> <p>19 A. Not all of them.</p> <p>20 Q. Some of them?</p> <p>21 A. Some of them, yes.</p> <p>22 Q. And who were the people doing the</p> <p>23 research that you know of?</p> <p>24 A. I cannot provide the identities of</p> <p>25 team 1 for reasons that we explained before.</p>
<p style="text-align: right;">Page 75</p> <p>1 into the agreement, or how it got in there?</p> <p>2 A. No.</p> <p>3 Q. Does Strategic Vision share the</p> <p>4 information from the client with other entities?</p> <p>5 A. Only those who are part of the</p> <p>6 contract, to execute the contract.</p> <p>7 Q. But there were entities other than</p> <p>8 Eastern Profit and Strategic Vision that receive</p> <p>9 the materials from the client, which is --</p> <p>10 A. The research orders, yes.</p> <p>11 Q. So those were other entities. They're</p> <p>12 not part of Strategic Vision?</p> <p>13 A. They're part of the Strategic Vision</p> <p>14 team, so they would be included.</p> <p>15 Q. They're not actually the same entity as</p> <p>16 Strategic Vision, legally speaking, right?</p> <p>17 MR. SCHMIDT: Objection.</p> <p>18 Q. If you know?</p> <p>19 A. They're part of the same team.</p> <p>20 Q. So in your mind, "team" is what the</p> <p>21 contractor is defined by in this agreement?</p> <p>22 A. Yes.</p> <p>23 Q. So it says "Strategic Vision" up top</p> <p>24 here as the contractor, correct?</p> <p>25 A. Yes. I cannot speak for the signed</p>	<p style="text-align: right;">Page 77</p> <p>1 Team 2, we --</p> <p>2 Q. Hold on. I just want to maintain that</p> <p>3 we don't think that that's -- this is a lawyer</p> <p>4 part -- a legitimate objection. But in light of</p> <p>5 the procedural posture of our motion to compel</p> <p>6 request, I'll allow it.</p> <p>7 I'm sorry, continue with your answer.</p> <p>8 A. Team 2 was a company in Addison, Texas</p> <p>9 called ASOG. I believe it is American Special</p> <p>10 Operations Group, or words to that effect, based</p> <p>11 in Addison, Texas. That was team 2.</p> <p>12 Q. Sitting here today, you refuse to tell</p> <p>13 me who's on team 1?</p> <p>14 A. I decline to tell you.</p> <p>15 MR. SCHMIDT: Objection. Just be</p> <p>16 clear, with respect to team 1, do you</p> <p>17 actually know the members or do you just</p> <p>18 know the intermediary?</p> <p>19 A. I only know the team leader.</p> <p>20 MR. SCHMIDT: That's all what I wanted</p> <p>21 to clarify for the record in case we do a</p> <p>22 motion to compel later.</p> <p>23 Q. You know the leader of who team 1 is?</p> <p>24 A. Yes.</p> <p>25 Q. But sitting here today, you refuse to</p>

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<p style="text-align: right;">Page 78</p> <p>1 tell me that?</p> <p>2 A. Yes.</p> <p>3 Q. Why is it that you can't tell me who</p> <p>4 the leader of team 1 is?</p> <p>5 A. Because the leader of team 1 lives in a</p> <p>6 very high-risk area where there are a lot of very</p> <p>7 bad actors who can cause physical harm, including</p> <p>8 the worst kinds of violence you can imagine.</p> <p>9 Q. Did you promise the leader of team 1</p> <p>10 not to disclose his identity?</p> <p>11 A. Yes.</p> <p>12 Q. Is that a promise that was made in</p> <p>13 writing or orally? How was it made?</p> <p>14 A. We do everything by handshake as much</p> <p>15 as we can. So that was literally a handshake</p> <p>16 agreement.</p> <p>17 Q. That was an agreement between you and</p> <p>18 the leader of team 1?</p> <p>19 A. Yes.</p> <p>20 Q. Does Strategic Vision know the name of</p> <p>21 the leader of team 1?</p> <p>22 MR. SCHMIDT: Objection.</p> <p>23 A. You would have to ask Strategic Vision.</p> <p>24 Q. So you never talked to --</p> <p>25 A. I can't pretend to speak for Strategic</p>	<p style="text-align: right;">Page 80</p> <p>1 A. It's all based on trusting the team.</p> <p>2 Q. So you know that team 1 only provides</p> <p>3 genuine information?</p> <p>4 A. They provide -- I know from the team 1</p> <p>5 leader that all the information they dug up was</p> <p>6 legitimate information that they did not</p> <p>7 manufacture or fabricate. It was just raw data.</p> <p>8 As to the accuracy of the information they found,</p> <p>9 that's different.</p> <p>10 What we mean here by "genuine" is that</p> <p>11 we did not create false or misleading</p> <p>12 information. In fact, we found that we had</p> <p>13 informed the client of some false information</p> <p>14 that we discovered.</p> <p>15 Q. Just going back to your answer there.</p> <p>16 So you have a discussion or dialogue with the</p> <p>17 leader of team 1 about the genuineness or quality</p> <p>18 of the information that team 1 has found?</p> <p>19 A. Yes.</p> <p>20 Q. How was that conversation conducted?</p> <p>21 Was it in person?</p> <p>22 A. Yes.</p> <p>23 Q. Ever over the phone?</p> <p>24 A. Never.</p> <p>25 Q. What about via secure text message</p>
<p style="text-align: right;">Page 79</p> <p>1 Vision. I'm not going to be put in that box.</p> <p>2 Q. I understand. What I'm asking you,</p> <p>3 though, is did you and Ms. Wallop ever talk about</p> <p>4 who the leader of team 1 was?</p> <p>5 MR. SCHMIDT: You can answer whether</p> <p>6 you had the conversation.</p> <p>7 A. Yes.</p> <p>8 Q. So she knows the name of the leader of</p> <p>9 team 1?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. Let's go to Eastern 7. It's the</p> <p>12 third page of Waller 2. In the criteria section,</p> <p>13 do you see where it says, "The contractor</p> <p>14 guarantees that all information provided is</p> <p>15 genuine"?</p> <p>16 A. Yes.</p> <p>17 Q. What does that mean?</p> <p>18 A. It means that we're not going to make</p> <p>19 up fake information in order to try to impress or</p> <p>20 satisfy the client. That everything we find is</p> <p>21 legitimately -- legitimate facts that were</p> <p>22 legitimately researched.</p> <p>23 Q. How do you know if the research is</p> <p>24 genuine if you're not the one doing it?</p> <p>25 MR. SCHMIDT: Objection.</p>	<p style="text-align: right;">Page 81</p> <p>1 service like Signal?</p> <p>2 A. We don't believe in secure text</p> <p>3 messages, so the answer is no.</p> <p>4 Q. Fair enough.</p> <p>5 So in your mind, Signal is not a secure</p> <p>6 means of communication?</p> <p>7 A. I have no way of knowing, but we don't,</p> <p>8 we don't -- we have our own methods of</p> <p>9 communicating, but anything in detail is only</p> <p>10 done in person.</p> <p>11 Q. Do you think a Signal message is more</p> <p>12 secure than other forms of electronic</p> <p>13 communication like just email?</p> <p>14 MR. SCHMIDT: Objection.</p> <p>15 A. Yes, absolutely.</p> <p>16 Q. Because you never emailed with Mr. Guo</p> <p>17 or Lianchao or Yvette Wang concerning this</p> <p>18 matter, have you?</p> <p>19 A. No, it was only by end-to-end</p> <p>20 encryption that doesn't reside on a server.</p> <p>21 Q. Signal does that, is that right? That</p> <p>22 application?</p> <p>23 A. Yeah.</p> <p>24 Q. How do you know the deliverables are</p> <p>25 provided with the best practice and standards of</p>

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<p style="text-align: right;">Page 82</p> <p>1 the industry?</p> <p>2 A. I know.</p> <p>3 Q. The contractor is saying that it will</p> <p>4 provide the deliverables based on the best</p> <p>5 practices and standards in the industry, right?</p> <p>6 A. That's right, yes.</p> <p>7 Q. How would Strategic Vision know that?</p> <p>8 A. The first best standard is the security</p> <p>9 part. We exceed those best standards. The</p> <p>10 second part is the actual computer research,</p> <p>11 which we know from the methods that they're</p> <p>12 using, which are state-of-the-art methods.</p> <p>13 Q. Without divulging who you were working</p> <p>14 for or when it was, have you ever done the actual</p> <p>15 research that team 1 was dispatched to do in this</p> <p>16 case?</p> <p>17 A. Not using the same methods.</p> <p>18 Q. Similar methods?</p> <p>19 A. It takes a certain skill set that I</p> <p>20 don't have, but I have been present and</p> <p>21 supervising in person when it was done in other</p> <p>22 cases.</p> <p>23 Q. What skill set is that?</p> <p>24 A. Deep dive research.</p> <p>25 Q. Go ahead.</p>	<p style="text-align: right;">Page 84</p> <p>1 supervising?</p> <p>2 Q. In any event, including in this</p> <p>3 engagement. I know you don't know, right?</p> <p>4 A. Right.</p> <p>5 Q. What about in other engagements?</p> <p>6 MR. SCHMIDT: Objection. That's kind</p> <p>7 of impossible to answer.</p> <p>8 A. On some things you can never know</p> <p>9 everybody on the team. It's not possible, if</p> <p>10 something is outsourced or whatever. Yeah, there</p> <p>11 have been other times where I have -- this whole</p> <p>12 profession involves an unusually high degree of</p> <p>13 trust that no -- it has to be personal trust, and</p> <p>14 you learn that by trial and error over a number</p> <p>15 of years.</p> <p>16 So you then learn to trust people who</p> <p>17 do the work for you and produce that work.</p> <p>18 Sometimes I have been part of the actual teams,</p> <p>19 but for the sake of protecting the client's</p> <p>20 identity and the existence of the work, we had</p> <p>21 worked through cutouts, and that's been similar</p> <p>22 with other projects.</p> <p>23 Q. Let's go to translation issue on</p> <p>24 Eastern 6. Starting on the bottom of the page,</p> <p>25 it says, "When the contractor encounters</p>
<p style="text-align: right;">Page 83</p> <p>1 A. Just like in a law firm where you have</p> <p>2 the attorney and you have a paralegal. It</p> <p>3 doesn't mean the paralegal is incompetent. It's</p> <p>4 just the person is not an attorney. Or you have</p> <p>5 the partner who might not have passed the bar but</p> <p>6 owns the firm and can run the firm or manage the</p> <p>7 firm, right.</p> <p>8 So you have people with different skill</p> <p>9 sets, but they all know each other and they all</p> <p>10 work together, or they all at least trust each</p> <p>11 other. And so you have certain of them delegate</p> <p>12 the work to others to do.</p> <p>13 Q. How long have you known the leader of</p> <p>14 team 1?</p> <p>15 A. For about four or five years.</p> <p>16 Q. And you've done other work with that</p> <p>17 individual concerning investigatory research?</p> <p>18 A. Yes.</p> <p>19 Q. Did you run into any issues with the</p> <p>20 quality of that work?</p> <p>21 A. Never.</p> <p>22 Q. Have you ever known the members of any</p> <p>23 of the teams that are led by the leader of</p> <p>24 team 1?</p> <p>25 A. The individuals that he was</p>	<p style="text-align: right;">Page 85</p> <p>1 information requiring translation, the contractor</p> <p>2 will provide electronic copies of the material to</p> <p>3 the client for the client to evaluate and</p> <p>4 translate." Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. How would that work? I take it that</p> <p>7 you don't speak Mandarin?</p> <p>8 A. No.</p> <p>9 Q. Does Ms. Wallop speak Mandarin?</p> <p>10 A. She understands some.</p> <p>11 Q. Can she read it?</p> <p>12 A. I don't know.</p> <p>13 Q. How did this agreement contemplate the</p> <p>14 use of translators?</p> <p>15 A. We had said from the beginning that</p> <p>16 we're going to need to have linguists doing the</p> <p>17 original research.</p> <p>18 Q. The members of team 1?</p> <p>19 A. Yes. And Guo said he didn't want that.</p> <p>20 He would take care of all of the translations.</p> <p>21 We then raised the issue well, these people are</p> <p>22 going to dig up raw material in a language they</p> <p>23 don't speak.</p> <p>24 Q. Right.</p> <p>25 A. How are they going to evaluate what</p>

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<p style="text-align: right;">Page 86</p> <p>1 they have? He says, "Just dig up the information 2 and send it to me and let me evaluate it." So we 3 ended up saying we really need to have people who 4 get the language. This was, I believe, through 5 Lianchao, who agreed. So we retained two fluent, 6 say, diplomatic-quality Mandarin language 7 linguists who were not Chinese nationals to be 8 part of that team. 9 Q. What was the concern about them being 10 Chinese nationals? 11 A. In case they were agents of the 12 Communist party. And Guo was pleased with that. 13 Q. So who were the two individuals that 14 you retained to do this translation work? 15 A. They were part of team 1. I don't know 16 their identities. 17 Q. So team 1 did have Mandarin-speaking 18 and Mandarin-reading members? 19 A. Yes. We added them on when we realized 20 we were going to need them. And I believe 21 Lianchao said, "Yeah, go ahead and get them, as 22 long as they're not Chinese nationals, or don't 23 live in China." 24 Q. So were you involved in the vetting 25 process for those individuals, or no?</p>	<p style="text-align: right;">Page 88</p> <p>1 A. Yeah, the Chinese could intercept it. 2 Q. Paper? 3 A. No, paper is just too cumbersome. And 4 you've got the digital forensics within the USB 5 drive so he could gauge what was in there. But 6 you don't want printouts of computer code. You 7 want to be able to exploit that code. You can't 8 do that on paper. 9 Q. So some of the raw data just in terms 10 of feasibility and practicality had to be 11 electronic? 12 A. Yes. 13 Q. In terms of transmitting it? 14 A. Yes, and in delivering it to him. He 15 simply specified no paper and nothing 16 electronically transmitted, so that was fair. 17 That was fine. 18 Q. I want to talk about this irregular 19 circumstances clause. Do you see that on page 20 Eastern 7? 21 A. Yes. 22 Q. Was this concept of irregular 23 circumstances discussed prior to the execution of 24 the agreement? 25 A. Yes.</p>
<p style="text-align: right;">Page 87</p> <p>1 A. No. 2 Q. So did you understand that you weren't 3 really going to be able to read a lot of the data 4 that was part of this research? 5 A. That was explicit. A lot of it is just 6 code. 7 MR. GRENDI: Do we have an issue? 8 THE VIDEOGRAPHER: Move the mic up. 9 MR. GRENDI: That's fine. Just let us 10 know. 11 THE WITNESS: How is it now? Is this 12 good? 13 THE VIDEOGRAPHER: It's just when your 14 hands are there. I want you to be 15 comfortable. 16 THE WITNESS: I'm in the hot seat. 17 Q. Why was it that only USB drives would 18 be used for deliverables? 19 A. Guo specified that. He was insistent 20 on it. 21 Q. Was there any pushback or discussion of 22 using USB drives for transmitting information? 23 A. No, it made sense. He didn't want 24 anything distributed electronically or on paper. 25 Q. Did he explain why?</p>	<p style="text-align: right;">Page 89</p> <p>1 Q. Who came up with that clause or 2 insisted upon it? 3 A. I drafted this section of it. 4 Q. You personally? 5 A. Yes. 6 Q. What were you trying to convey when you 7 drafted this section? 8 A. That there is no even flow of data. 9 That we're going to face challenges as in any 10 research project. Like any legal case, you can't 11 state your case on the first month. You have to 12 build the case over a period of time. And 13 sometimes you're going to run into dead ends. 14 Sometimes you find false information. Sometimes 15 you'll be spoofed by the other side. 16 There are risks of detection, the 17 countermeasures the other side takes. There are 18 legal issues. There are logistical issues given 19 the cumbersome physical nature of delivery of the 20 information by USB drive. So we're just putting 21 this here that we both understand that it's not 22 all going to be a smooth delivery. 23 Q. So does irregular circumstance in your 24 mind encompass items, only items that are out of 25 the control of the contractor or researching</p>

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<p style="text-align: right;">Page 90</p> <p>1 party?</p> <p>2 MR. SCHMIDT: Objection.</p> <p>3 Q. Let me ask that again. That's fair</p> <p>4 enough.</p> <p>5 If Strategic Vision makes a mistake or</p> <p>6 fails to do its job for any reason, would that be</p> <p>7 part of irregular circumstances?</p> <p>8 A. What do you mean by "failed to do its</p> <p>9 job"?</p> <p>10 Q. Let me try it this way.</p> <p>11 A. If you get in an accident on the way to</p> <p>12 work, are you failing to go to work?</p> <p>13 MR. SCHMIDT: Let him rephrase it. You</p> <p>14 said you don't understand it. That's all</p> <p>15 you have to do.</p> <p>16 Q. That's fine.</p> <p>17 Does irregular circumstances only</p> <p>18 include, let's just say, outside problems that</p> <p>19 Strategic Vision would encounter?</p> <p>20 MR. SCHMIDT: Objection. But go ahead</p> <p>21 to the extent you can.</p> <p>22 A. Would you define "outside problem"?</p> <p>23 Q. Let's talk about -- you described it</p> <p>24 earlier, third parties blocking the research or</p> <p>25 there being dead ends. Is that the full scope of</p>	<p style="text-align: right;">Page 92</p> <p>1 Q. What if irregular circumstances just</p> <p>2 totally prevented Strategic Vision from providing</p> <p>3 any research reports? Would the client still</p> <p>4 have to pay?</p> <p>5 A. That's a hypothetical. There's a</p> <p>6 30-day clause to end the contract.</p> <p>7 Q. It's a hypothetical, and I'm asking you</p> <p>8 to please answer the question.</p> <p>9 What if irregular circumstances just</p> <p>10 completely prevented Strategic Vision from</p> <p>11 delivering any work?</p> <p>12 A. We go to the client and say it's not</p> <p>13 possible to do.</p> <p>14 Q. And so they wouldn't -- the contract</p> <p>15 would be over at that point?</p> <p>16 A. We would say, hopefully, we can't do it</p> <p>17 this way. Do you want to change the parameters?</p> <p>18 Remember, there were 4,000 names he had, he</p> <p>19 wanted. So we can't do it on these 15. Let's</p> <p>20 try another group of 15 or it can't be done.</p> <p>21 And we had suggested on one way to do</p> <p>22 something, and he didn't want do it that way even</p> <p>23 though it made sense to do it that way. So you</p> <p>24 try to find a way to get the job done, but if</p> <p>25 ultimately you can't get the job done, then that</p>
<p style="text-align: right;">Page 91</p> <p>1 irregular circumstances that you described</p> <p>2 earlier?</p> <p>3 A. No, but it's indicative of an irregular</p> <p>4 circumstance.</p> <p>5 Q. If irregular circumstances occur, does</p> <p>6 the client still have to pay as though it's</p> <p>7 getting full research?</p> <p>8 A. Yes. It's right there in the contract.</p> <p>9 Q. Where does it say that under irregular</p> <p>10 circumstances, the client still has to pay the</p> <p>11 full price?</p> <p>12 A. It's right there in the price. For</p> <p>13 \$750,000 a month, we're going to be doing the</p> <p>14 following work, understanding that there will be</p> <p>15 irregular circumstances that may prevent certain</p> <p>16 of the work from being done at that point in</p> <p>17 time. This type of work is impossible to predict</p> <p>18 when you're going after people who hide their</p> <p>19 assets, who hide their activity, who operate</p> <p>20 under false names, who have -- who use rigorous</p> <p>21 security methods. Or if there's a legal problem</p> <p>22 and we discover hey, it's illegal to do this</p> <p>23 thing that you want us to do, then that's going</p> <p>24 to be a delay. We have to figure out the right</p> <p>25 way to do it.</p>	<p style="text-align: right;">Page 93</p> <p>1 becomes apparent after a lot of back-and-forth</p> <p>2 with the client, just like any job.</p> <p>3 Q. Right, but just to be clear, if</p> <p>4 irregular circumstances prevent the contractor</p> <p>5 from delivering any reports, then does the client</p> <p>6 have to pay anything?</p> <p>7 A. If you don't do the work, why should</p> <p>8 the client pay if you don't do the work, right?</p> <p>9 Q. Right.</p> <p>10 A. But if you do do the work, then the</p> <p>11 client pays, but there are going to be irregular</p> <p>12 circumstances where the product is not going to</p> <p>13 be what you want at a certain time, so we have to</p> <p>14 get around that. Or in the case of starting up,</p> <p>15 it was explicitly understood from the start that</p> <p>16 you're not going to get huge amounts of data</p> <p>17 immediately. You've gotta get the team to</p> <p>18 understand the data first, and you gotta build</p> <p>19 the channels for the data.</p> <p>20 Q. So long as Strategic Vision tries to</p> <p>21 get the data, if irregular circumstances prevent</p> <p>22 them from delivering any reports, that's good</p> <p>23 enough. They should still get paid?</p> <p>24 A. Well, no. Let me give you an example.</p> <p>25 There was around February -- between January 26th</p>

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<p style="text-align: right;">Page 94</p> <p>1 and February 1st when the client was upset at the</p> <p>2 way -- things weren't moving fast enough for him.</p> <p>3 We were directed -- Yvette directed us in writing</p> <p>4 to find another way of doing it.</p> <p>5 So she was saying proceed with your</p> <p>6 work. Just find another way to do it. That's</p> <p>7 when we brought in team 2.</p> <p>8 Q. Okay.</p> <p>9 A. So that was an irregular circumstance.</p> <p>10 Really it wasn't a delay on our part because we</p> <p>11 were consistent with any research standard. We</p> <p>12 were doing it as rapidly as humanly and</p> <p>13 mathematically possible. It's just the client</p> <p>14 objected because he thought it was a long delay.</p> <p>15 If you recall in this, we prorated</p> <p>16 things so that the first two weeks were not at</p> <p>17 his expense. He agreed. So we had only been in</p> <p>18 the contract effectively ten days, and he's</p> <p>19 already objecting that we're not producing</p> <p>20 monthly reports and everything else.</p> <p>21 Q. We'll get to that.</p> <p>22 MR. SCHMIDT: Let him finish.</p> <p>23 Q. Go ahead.</p> <p>24 A. Because in order to satisfy him and</p> <p>25 what he wanted, we offered to go ahead with a</p>	<p style="text-align: right;">Page 96</p> <p>1 And when we find that the -- as our</p> <p>2 team 1 discovered and as Lianchao Han confirmed,</p> <p>3 at least two and as possibly as many as four of</p> <p>4 the 15 were not real people.</p> <p>5 Q. You're talking about the fish?</p> <p>6 A. Yes.</p> <p>7 Q. But the contract does say that the</p> <p>8 comprehensive historical reports are 300,000 per</p> <p>9 report?</p> <p>10 MR. SCHMIDT: Objection.</p> <p>11 MR. GRENDI: It says it on that page,</p> <p>12 Eastern 8.</p> <p>13 A. Per year.</p> <p>14 Q. Yeah. And the tracking reports are --</p> <p>15 A. Look before that, please. "The flat</p> <p>16 price structure is as follows." So whether it's</p> <p>17 a small report or a large report, it's a flat</p> <p>18 rate structure. And that is an annual number,</p> <p>19 not a weekly or monthly number.</p> <p>20 Q. So in your mind, the report -- strike</p> <p>21 that.</p> <p>22 In your mind, the reports are not</p> <p>23 broken down on a per-report basis cost?</p> <p>24 A. Correct.</p> <p>25 Q. So there's no charge in this agreement</p>
<p style="text-align: right;">Page 95</p> <p>1 different team using different methodologies in</p> <p>2 parallel with team 1, and that's when Yvette</p> <p>3 instructed us on or about February 1st in a</p> <p>4 Signal text to go ahead and use the -- start up</p> <p>5 the other method.</p> <p>6 So we were still doing the work, and we</p> <p>7 were still finding a way to give him the</p> <p>8 deliverables even though going with team 2 was</p> <p>9 beyond what we had promised. So we were doing</p> <p>10 extra work for him at this time.</p> <p>11 Q. In this contract is Strategic Vision</p> <p>12 compensated on a per-report basis?</p> <p>13 MR. SCHMIDT: Objection. Go ahead.</p> <p>14 A. It's a flat rate basis. It says "Up to</p> <p>15 15." It doesn't say 15. It says "Up to 15."</p> <p>16 Q. Where are you looking, just so I know?</p> <p>17 A. The top of page 8. "The first month,</p> <p>18 January, of this contract will include up to 15</p> <p>19 fish for a total of 30 reports and will decrease</p> <p>20 to ten fish, etc.," for February, for March and</p> <p>21 for the duration of the contract. So this was</p> <p>22 explicit. It's not all going to be complete on</p> <p>23 the first month. Even digging into certain of</p> <p>24 the names, we're just not going to have it in the</p> <p>25 first month.</p>	<p style="text-align: right;">Page 97</p> <p>1 for what a weekly report is?</p> <p>2 A. That's the whole problem or the whole</p> <p>3 issue with calling them "fish" and "keeping</p> <p>4 things up at a water tank level." That was his</p> <p>5 metaphor for explaining what he wanted at a</p> <p>6 certain level. We went ahead with that as long</p> <p>7 as you keep it up at that metaphorical waterline.</p> <p>8 The actual details of the report are going to</p> <p>9 vary. That's explicit in here in this contract.</p> <p>10 We refer to the paragraph right above</p> <p>11 flat price structure. We refer to each of these</p> <p>12 as "We will measure each of the 30 reports as,</p> <p>13 quote, 'report equivalents' in the event that it</p> <p>14 is necessary to stop work prematurely on one fish</p> <p>15 and replace it with a second fish. We will then</p> <p>16 have the partial report on the terminated fish,"</p> <p>17 etc.</p> <p>18 So it's explicitly understood in this</p> <p>19 contract that you're gonna be stop and go and</p> <p>20 things are going to be incomplete, and then you</p> <p>21 go on to the next one, but we'll still have that</p> <p>22 same universe of individuals to be collecting</p> <p>23 data on.</p> <p>24 Q. Just without identifying what you said</p> <p>25 or who you said it to, did you consult a lawyer</p>

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Page 98	<p>1 in connection with drafting this agreement?</p> <p>2 A. The question answers itself. No.</p> <p>3 Q. Why does it answer itself?</p> <p>4 A. It's not legalistic at all. It's our</p> <p>5 own wording. It's more of like an MOU between</p> <p>6 parties that was executed as a contract. This is</p> <p>7 the way we all understand this was going to work.</p> <p>8 But it was signed as a contract.</p> <p>9 Q. What does "MOU" stand for?</p> <p>10 A. Memorandum of understanding or</p> <p>11 statement of work, or whatever other word you</p> <p>12 want to use.</p> <p>13 Q. Just going to Eastern 9, the last page</p> <p>14 of this document. Do you see where it says, "It</p> <p>15 is understood that the client may direct other</p> <p>16 entities to pay the contractor and that such</p> <p>17 payments" --</p> <p>18 (Court reporter interruption.)</p> <p>19 Q. -- "will be deemed satisfactory</p> <p>20 compensation by the contractor."</p> <p>21 Do you see that?</p> <p>22 A. Yes.</p> <p>23 Q. Why is this clause in the agreement?</p> <p>24 A. To be set up to conceal from the</p> <p>25 Chinese authorities that Guo was funding this</p>	Page 100	<p>1 A. We never heard of Eastern Profit until</p> <p>2 the day Yvette said it's gonna be Eastern Profit.</p> <p>3 Q. So that was January 6th?</p> <p>4 A. No, that was late December.</p> <p>5 Q. What did you say in response to Yvette</p> <p>6 telling you that Eastern Profit was going to be</p> <p>7 the counterparty to this research agreement?</p> <p>8 A. I was not there for the signing.</p> <p>9 Q. But this was not the signing?</p> <p>10 A. I had not heard of Eastern Profit.</p> <p>11 There were several days in late December when it</p> <p>12 was just Yvette and Ms. Wallop talking.</p> <p>13 Q. I see. So you talked to Ms. Wallop</p> <p>14 about how Eastern Profit got on the agreement?</p> <p>15 A. Yes.</p> <p>16 Q. But you don't know why yourself?</p> <p>17 A. No. I would presume it's for the</p> <p>18 reasons stated in the subsequent payments</p> <p>19 portion, but I don't know that. Because Eastern</p> <p>20 Profit never paid us anything, and we never</p> <p>21 received any money from any Guo entity after</p> <p>22 execution of the contract.</p> <p>23 Q. It says here that "All client payments</p> <p>24 must be received by the contractor by wire</p> <p>25 transfer within five business days of invoice."</p>
Page 99	<p>1 research. So it was explicit that nothing from</p> <p>2 any of his Hong Kong accounts straight to his</p> <p>3 Strategic Vision account, but rather through a</p> <p>4 circuitous route of various places in various</p> <p>5 countries and various cutouts to conceal these</p> <p>6 transfers from the Chinese intelligence service.</p> <p>7 Q. So it was understood that the client</p> <p>8 would not directly pay the contractor because of</p> <p>9 these security concerns?</p> <p>10 A. Right. Well, the client would -- if</p> <p>11 you think of it as a collaborative versus a legal</p> <p>12 means, the client authorizes the payment to be</p> <p>13 paid, or it instructs that the payment be paid,</p> <p>14 and then it's done through a circuitous route.</p> <p>15 So we understand that the funds have come on</p> <p>16 Guo's instruction. And then we let him know that</p> <p>17 the funds have been received. There were no</p> <p>18 funds that were sent to Strategic Vision after</p> <p>19 the execution of this contract.</p> <p>20 Q. Let me ask you this. Do you know why</p> <p>21 Eastern Profit is the client?</p> <p>22 A. No, we don't know why it's the client.</p> <p>23 Q. Well, how did it get into the contract?</p> <p>24 A. How did what get in?</p> <p>25 Q. Eastern Profit.</p>	Page 101	<p>1 A. Right.</p> <p>2 Q. Do you know if Strategic Vision ever</p> <p>3 sent any invoices to Eastern Profit?</p> <p>4 A. It was a verbal invoice. There were</p> <p>5 not to be written invoices.</p> <p>6 Q. Have you done verbal invoicing before?</p> <p>7 A. Yes.</p> <p>8 Q. It's a new one for me. Can you just</p> <p>9 describe how that works?</p> <p>10 A. If you want to keep something</p> <p>11 untraceable, you don't leave a paper trail. If</p> <p>12 you don't leave a paper trail, you don't submit</p> <p>13 invoices for those purposes, especially if the</p> <p>14 purpose is to protect the client's identity from</p> <p>15 one of the most notorious spy agencies in the</p> <p>16 world who is out to get your client. So you just</p> <p>17 say, "Okay, it's the end of the pay date," and</p> <p>18 then they will send the next one.</p> <p>19 You're kind of smirking at that.</p> <p>20 Q. No, it's a new thing for me.</p> <p>21 A. It's normal in our area of work.</p> <p>22 Q. That's fine.</p> <p>23 A. As long as we comply with the IRS and</p> <p>24 report our income, then that's fine. We've done</p> <p>25 work in other ways to protect our clients and</p>

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<p style="text-align: right;">Page 102</p> <p>1 it's not in writing.</p> <p>2 Q. Sure. Do you know if a verbal invoice</p> <p>3 was issued in this case?</p> <p>4 A. Yes.</p> <p>5 Q. When was that?</p> <p>6 A. On or about February 16th.</p> <p>7 Q. That would have been the first?</p> <p>8 A. 15th or 16th. Yes. It was supposed to</p> <p>9 be on or about January 31st, but we had agreed on</p> <p>10 the 26th. I had offered, with Ms. Wallop's</p> <p>11 concurrence, to write off the first two weeks of</p> <p>12 work to satisfy Guo, because he was so agitated.</p> <p>13 We wanted to keep the contract with him. So we</p> <p>14 would not have invoiced until -- we normally</p> <p>15 would have on January 31st, but we did not until</p> <p>16 roughly February 15th.</p> <p>17 And that was to Lianchao Han because by</p> <p>18 that time, Yvette had instructed us not to</p> <p>19 communicate with her anymore, or that Guo had</p> <p>20 said not to communicate with her anymore.</p> <p>21 Q. Was it you or Ms. Wallop who, I guess,</p> <p>22 called Lianchao to verbally invoice?</p> <p>23 A. We would only speak in person.</p> <p>24 Q. So were you there when the verbal</p> <p>25 invoice was issued?</p>	<p style="text-align: right;">Page 104</p> <p>1 we were talking to Guo as far as we were</p> <p>2 concerned.</p> <p>3 Q. Do you know if Lianchao works for</p> <p>4 Eastern Profit?</p> <p>5 A. No.</p> <p>6 Q. Do you know one way or another whether</p> <p>7 he does or does not or you just don't know?</p> <p>8 A. He told me Guo has offered to pay him</p> <p>9 many times, and he was only doing it as a</p> <p>10 volunteer because he had larger interests in</p> <p>11 promoting the Chinese democracy movement.</p> <p>12 Q. Because of his own political feelings</p> <p>13 and history?</p> <p>14 A. Yeah. He said Guo was very mercurial,</p> <p>15 doesn't keep his word and rips off his law firms</p> <p>16 and clients and customers and fellow investors,</p> <p>17 and so we should be -- we should be sure to have</p> <p>18 our money in hand before we continue to work.</p> <p>19 Q. When did he tell you that?</p> <p>20 A. In December and in January and in</p> <p>21 February.</p> <p>22 Q. Was that an in-person meeting?</p> <p>23 A. In person. And the public record shows</p> <p>24 that Guo rips off a lot of people.</p> <p>25 Q. That is your perception of it?</p>
<p style="text-align: right;">Page 103</p> <p>1 A. Yeah. It was more like -- verbal</p> <p>2 invoice, in quotes, is, "Hey, Lianchao, it's time</p> <p>3 to pay the first month's 750,000."</p> <p>4 Q. Now, did he say anything in response to</p> <p>5 that?</p> <p>6 A. He said "Guo's really upset right now.</p> <p>7 Let me work with him on it." But there was never</p> <p>8 any indication of termination.</p> <p>9 Q. Were any other verbal invoices issued?</p> <p>10 A. Well, no, because a week later we got</p> <p>11 served.</p> <p>12 Q. So the answer is no?</p> <p>13 A. No, because a week later we got served.</p> <p>14 Q. You're saying if you hadn't been</p> <p>15 served, you would have issued the invoice for the</p> <p>16 next month?</p> <p>17 A. We would have still been working with</p> <p>18 Lianchao had we been paid. This is to have been</p> <p>19 paid within five days; that would have been</p> <p>20 February 20th. We would have stopped work by</p> <p>21 then because we did not get paid. But we did not</p> <p>22 stop work because Lianchao said he was trying to</p> <p>23 work it out.</p> <p>24 Q. I see.</p> <p>25 A. He's speaking as the agent of Guo, so</p>	<p style="text-align: right;">Page 105</p> <p>1 A. No, that's the news reports of it.</p> <p>2 Q. How did that come up? Did Lianchao</p> <p>3 raise that issue or did you ask him about that?</p> <p>4 A. I don't remember.</p> <p>5 MR. GRENDI: Why don't we go off the</p> <p>6 record.</p> <p>7 THE VIDEOGRAPHER: Off the record at</p> <p>8 12:14.</p> <p>9 (Whereupon, a short recess was taken.)</p> <p>10 THE VIDEOGRAPHER: Back on the record</p> <p>11 at 12:20.</p> <p>12 MR. GRENDI: This is Waller 3.</p> <p>13 (Waller Exhibit 3, Handwritten document</p> <p>14 Bates stamped Eastern 11, marked for</p> <p>15 identification.)</p> <p>16 Q. Mr. Waller, do you recognize this</p> <p>17 document?</p> <p>18 A. No.</p> <p>19 Q. You've never seen it before?</p> <p>20 A. No.</p> <p>21 Q. Do you recognize the handwriting on the</p> <p>22 document?</p> <p>23 A. It appears to be French Wallop's</p> <p>24 handwriting.</p> <p>25 Q. Do you know her handwriting pretty good</p>

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<p>1 or well?</p> <p>2 A. Enough to tell that it appears to be</p> <p>3 hers.</p> <p>4 Q. Do you recognize any of these names?</p> <p>5 A. They're mostly Arabic names.</p> <p>6 Q. Do you know if any of the individuals</p> <p>7 on this list of names are clients of</p> <p>8 Strategic Vision?</p> <p>9 A. No, I don't know.</p> <p>10 Q. So you've never provided services for</p> <p>11 any of the individuals listed on this document?</p> <p>12 MR. SCHMIDT: Him being personally?</p> <p>13 MR. GRENDI: Yes.</p> <p>14 A. No.</p> <p>15 Q. Okay. Did you ever talk to Mr. Guo or</p> <p>16 Lianchao or Yvette Wang about people who are</p> <p>17 clients of Strategic Vision?</p> <p>18 A. Present clients or past clients or</p> <p>19 prospective clients?</p> <p>20 Q. Either.</p> <p>21 A. No. Okay. Repeat the question, then.</p> <p>22 Q. Sure. Did you ever talk to Mr. Guo,</p> <p>23 Lianchao or Yvette Wang about people who are</p> <p>24 clients of Strategic Vision?</p> <p>25 A. No.</p>	<p>1 not an entirely accurate spelling for the next</p> <p>2 one. I believe it's K-o-d-o-r-k-h-o-v-s-k-y. It</p> <p>3 might be K-h in the beginning, but I think it's</p> <p>4 K. It's K, yeah.</p> <p>5 Q. It's for the ease of my own butchering</p> <p>6 of the Russian language, who is that individual?</p> <p>7 I'll call him Mr. K?</p> <p>8 A. He is a Russian dissident. He's exiled</p> <p>9 in London.</p> <p>10 Q. You and Strategic Vision have provided</p> <p>11 investigatory services for that individual?</p> <p>12 A. Messaging services.</p> <p>13 Q. Message services?</p> <p>14 A. Yes.</p> <p>15 Q. But not investigation research?</p> <p>16 A. I didn't. I don't know if Strategic</p> <p>17 Vision did.</p> <p>18 Q. Okay. You said before there was</p> <p>19 another client that was described to Lianchao,</p> <p>20 Mr. Guo or Yvette Wang.</p> <p>21 Do you recall that?</p> <p>22 A. I'm not sure.</p> <p>23 Q. Without divulging the name of that</p> <p>24 client, what kind of client was it?</p> <p>25 A. I don't know if it was a client in fact</p>
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<p>1 Q. You never told any of those three</p> <p>2 people, We've done work for X, Y or Z?</p> <p>3 A. Yeah, that's why I asked what you mean</p> <p>4 by "clients," whether it's present, past, or</p> <p>5 prospective.</p> <p>6 Q. Let's go with present or past.</p> <p>7 A. No, I wouldn't know Strategic Vision's</p> <p>8 previous clients.</p> <p>9 Q. But you did provide work for -- you</p> <p>10 described before two clients of Strategic Vision?</p> <p>11 A. Yes, but none of them are on this list.</p> <p>12 Q. Right, but let me ask you this. Did</p> <p>13 you ever tell Mr. Guo, Yvette Wang or Lianchao</p> <p>14 that you provided work for those two --</p> <p>15 A. Yes.</p> <p>16 Q. -- entities. You did.</p> <p>17 And did you describe the names of those</p> <p>18 entities to --</p> <p>19 A. At least one of them. I don't recall</p> <p>20 the exact.</p> <p>21 Q. Which name is that?</p> <p>22 A. Mikhail Khodorkovsky.</p> <p>23 Q. Why don't we help the court reporter</p> <p>24 out with that one?</p> <p>25 A. M-i-k-h-a-i-l. Forgive me if this is</p>	<p>1 or just somebody that Strategic Vision had worked</p> <p>2 with before, so I don't know. I'm not going to</p> <p>3 state as a fact that it was a client, so I don't</p> <p>4 know.</p> <p>5 Q. So that was before the contract was</p> <p>6 signed, those discussions?</p> <p>7 A. I don't recall.</p> <p>8 Q. Did you ever tell Mr. Guo or Lianchao</p> <p>9 that you were helping Russian opposition groups?</p> <p>10 A. Yes.</p> <p>11 Q. When was that?</p> <p>12 A. When was I helping them?</p> <p>13 Q. No. When did you tell them that you</p> <p>14 were helping Russian opposition groups?</p> <p>15 A. Certainly before the contract and maybe</p> <p>16 after the contract.</p> <p>17 Q. What did you tell them about that kind</p> <p>18 of work that you were doing for Russian</p> <p>19 opposition groups?</p> <p>20 A. Starting in -- it was -- how much</p> <p>21 detail do you want?</p> <p>22 Q. You don't have to go crazy. Just</p> <p>23 generally.</p> <p>24 A. Starting in the late 1980s working with</p> <p>25 anti-Soviet internal movements to help Ukraine,</p>

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<p>1 Latvia, Lithuania, and Estonia secede from the</p> <p>2 USSR. And then with Russian internal opposition</p> <p>3 groups opposed to the Russian -- the Soviet</p> <p>4 Communist Party. So they were tied --</p> <p>5 MR. SCHMIDT: Slow down.</p> <p>6 A. Tied to Boris Yeltsin from, like,</p> <p>7 roughly '87, '88 up to '93, '94.</p> <p>8 Q. What about more recent work with</p> <p>9 opposition groups and Putin regime?</p> <p>10 A. With Mikhail Khodorkovsky, who is one</p> <p>11 of the lead opposition people against Putin.</p> <p>12 Q. So you told Mr. Guo about the services</p> <p>13 that you provided to Mikhail Khodorkovsky?</p> <p>14 A. Not so much the services as opposed to</p> <p>15 ideas, because one of our ideas was to unite</p> <p>16 Chinese internal opposition with Russian</p> <p>17 opposition and help bring -- this was on the</p> <p>18 messaging part of the ideas, the brainstorming</p> <p>19 with Guo. We brainstormed a lot in December and</p> <p>20 had wide-ranging discussions. So in this case,</p> <p>21 it was to work with Russian internal opposition</p> <p>22 groups to bring things in and out of China over</p> <p>23 the land border between Russia and China.</p> <p>24 Q. Did you tell them that you had</p> <p>25 connections with the Abu Dhabi princess?</p>	<p>1 A. Not while I was there.</p> <p>2 Q. Did you ever tout connections to the</p> <p>3 White House prior to the execution of the</p> <p>4 contract?</p> <p>5 A. What do you mean by "tout"?</p> <p>6 Q. Like -- I won't say advertise, but just</p> <p>7 explain in terms of the quality of your services</p> <p>8 or Strategic Vision's services that you're</p> <p>9 connected to the White House?</p> <p>10 A. Not so much in the services itself.</p> <p>11 It's that I know people in the White House.</p> <p>12 Q. And you told Mr. Guo?</p> <p>13 A. Yes.</p> <p>14 Q. Did you tell them that you worked for</p> <p>15 the Trump presidential campaign?</p> <p>16 A. No, I did not. I did not work for the</p> <p>17 campaign, and I didn't tell them I did.</p> <p>18 Q. Did Ms. Wallop?</p> <p>19 A. Not that I know of. I would say I</p> <p>20 don't know.</p> <p>21 Q. That's fine.</p> <p>22 Did you tell Mr. Guo, Ms. Wang or</p> <p>23 Lianchao that you worked with the CIA and</p> <p>24 continue to work with the CIA in the Middle East?</p> <p>25 A. No. I had helped the CIA in the past,</p>
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<p>1 A. I didn't.</p> <p>2 Q. Did Ms. Wallop?</p> <p>3 A. Probably.</p> <p>4 Q. What about connections in Saudi Arabia?</p> <p>5 Did you tout that as one of the resources that</p> <p>6 you had?</p> <p>7 A. She has Saudi connections.</p> <p>8 Q. What about connections in Qatar,</p> <p>9 Turkey, Iran? Is that all Ms. Wallop?</p> <p>10 A. She has those connections.</p> <p>11 Q. So your connections are with the</p> <p>12 Russian opposition groups?</p> <p>13 A. She has connections with them also and</p> <p>14 with Khodorkovsky.</p> <p>15 Q. So you both provide services to these</p> <p>16 Russian opposition groups?</p> <p>17 A. Yes.</p> <p>18 Q. Did you ever tell Mr. Guo that you had</p> <p>19 20 or so projects going at a given time, research</p> <p>20 projects?</p> <p>21 A. At the same time?</p> <p>22 Q. Yes.</p> <p>23 A. No.</p> <p>24 Q. Did Ms. Wallop while you were there</p> <p>25 tell --</p>	<p>1 but I never said I still work with them.</p> <p>2 Q. Do you still work with them?</p> <p>3 A. No.</p> <p>4 MR. GRENDI: Let's go to Waller 4.</p> <p>5 (Waller Exhibit 4, Document Bates</p> <p>6 stamped, marked for identification.)</p> <p>7 Q. Do you recognize this document?</p> <p>8 I gave you the one with my marks on it.</p> <p>9 Would you mind switching that?</p> <p>10 A. Sure. I should take a look at your</p> <p>11 marks.</p> <p>12 Q. That's okay. There's nothing that good</p> <p>13 there.</p> <p>14 A. It looks like my LinkedIn page, but I</p> <p>15 don't see an indication that it's on LinkedIn.</p> <p>16 Q. Is this your background information?</p> <p>17 A. It appears to be.</p> <p>18 Q. Do you remember giving this information</p> <p>19 to Mr. Guo?</p> <p>20 A. No.</p> <p>21 Q. Or Lianchao?</p> <p>22 A. Maybe Lianchao.</p> <p>23 Q. That would have been before this</p> <p>24 contract was signed?</p> <p>25 A. Yes.</p>

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<p style="text-align: right;">Page 114</p> <p>1 Q. What does Georgetown Research do?</p> <p>2 A. It's an LLC that I set up with</p> <p>3 French Wallop in the fall of 2017 to do joint</p> <p>4 work, and then it became a vehicle for executing</p> <p>5 this contract.</p> <p>6 Q. So Georgetown Research does</p> <p>7 investigatory work?</p> <p>8 A. Yes.</p> <p>9 Q. That's in Washington, D.C., right?</p> <p>10 A. Yes.</p> <p>11 Q. Do you have an office or is that based</p> <p>12 out of your home?</p> <p>13 A. No, it's just an LLC.</p> <p>14 Q. So there's no --</p> <p>15 A. No staff, no office, no physical</p> <p>16 address.</p> <p>17 Q. And it's just you?</p> <p>18 A. Yes. Pardon, it's French Wallop and me</p> <p>19 for this LLC.</p> <p>20 MR. SCHMIDT: For Georgetown.</p> <p>21 A. For Georgetown Research.</p> <p>22 Q. So you're both members of that LLC?</p> <p>23 A. Yes.</p> <p>24 Q. Got it. Just in your bio it says that</p> <p>25 you did special projects at Blackwater from 2007</p>	<p style="text-align: right;">Page 116</p> <p>1 Q. But you don't do that work anymore</p> <p>2 through the American Foreign Policy Council?</p> <p>3 A. No.</p> <p>4 Q. I guess you're not with that outfit</p> <p>5 anymore?</p> <p>6 A. Correct.</p> <p>7 MR. GRENDI: Let's do 5.</p> <p>8 (Waller Exhibit 5, Signal text message</p> <p>9 thread, marked for identification.)</p> <p>10 Q. Mr. Waller, do you recognize this</p> <p>11 Signal thread?</p> <p>12 A. Let me take a look. Yes.</p> <p>13 Q. Who is this correspondence between?</p> <p>14 A. Between Lianchao Han and myself.</p> <p>15 Q. I know you mentioned before, but how</p> <p>16 long do you know Lianchao Han?</p> <p>17 A. I first met him in the '80s, but I've</p> <p>18 then lost contact with him. I've known him for</p> <p>19 over 30 years but haven't worked with him closely</p> <p>20 until this project.</p> <p>21 Q. How did you get in touch with him in</p> <p>22 connection with this project?</p> <p>23 A. Through French Wallop.</p> <p>24 Q. So French Wallop reintroduced you to</p> <p>25 Lianchao Han?</p>
<p style="text-align: right;">Page 115</p> <p>1 to 2009?</p> <p>2 A. Yes.</p> <p>3 Q. Is that company now known as -- I think</p> <p>4 it's Academi?</p> <p>5 A. Academi. A-c-a-d-e-m-i. I don't know</p> <p>6 if it's still by that name or not, but it became</p> <p>7 that name.</p> <p>8 Q. Is this the Blackwater that used to be</p> <p>9 run by a fellow named Erik Prince?</p> <p>10 THE WITNESS: Is this relevant?</p> <p>11 A. Yes.</p> <p>12 Q. You worked at Blackwater with</p> <p>13 Erik Prince?</p> <p>14 A. Yes.</p> <p>15 Q. Did you mention that experience with</p> <p>16 Blackwater prior to the execution of the contract</p> <p>17 to Mr. Guo?</p> <p>18 A. I don't know. I don't remember.</p> <p>19 Q. Just below that it says "Vice President</p> <p>20 and American Foreign Policy Council"?</p> <p>21 A. Yeah.</p> <p>22 Q. Is this the work you were previously</p> <p>23 describing concerning working with Russian</p> <p>24 opposition groups?</p> <p>25 A. Yes. It's part of it, yes.</p>	<p style="text-align: right;">Page 117</p> <p>1 A. As I, as I understand it from her,</p> <p>2 Bill Gertz was working with Lianchao Han and Guo,</p> <p>3 and then Guo said he wanted to do this project</p> <p>4 that we're discussing now. Bill Gertz</p> <p>5 contacted -- Bill Gertz is an intelligence and</p> <p>6 defense reporter, and I've known him for 35</p> <p>7 years. So he talked to French about doing it.</p> <p>8 She suggested bringing me in, and then through</p> <p>9 that, I met Lianchao, re-met Lianchao.</p> <p>10 Q. So you weren't part of the -- let's</p> <p>11 call it -- initial introduction of Bill Gertz and</p> <p>12 Lianchao Han and Mr. Guo?</p> <p>13 A. No.</p> <p>14 Q. Does Lianchao Han have a relationship</p> <p>15 with Strategic Vision? Let's call it a financial</p> <p>16 relationship.</p> <p>17 A. No, not that I know of.</p> <p>18 Q. Does he have a financial relationship</p> <p>19 with you or any of your LLCs?</p> <p>20 A. No.</p> <p>21 Q. So he doesn't get any referral fees for</p> <p>22 bringing work to you --</p> <p>23 A. No.</p> <p>24 Q. -- or Strategic Vision?</p> <p>25 A. No.</p>

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<p style="text-align: right;">Page 122</p> <p>1 Q. What do you recall about him wanting to</p> <p>2 do it for as cheap as possible?</p> <p>3 A. Well, you can't blame a businessman for</p> <p>4 wanting to do something as cheap as possible.</p> <p>5 Q. Do you remember prices being discussed?</p> <p>6 A. Yeah, prices were discussed, and for</p> <p>7 the scope that he wanted, it was just simply not</p> <p>8 possible to do.</p> <p>9 Q. What did he propose?</p> <p>10 A. I don't recall precisely what it was.</p> <p>11 Q. But it was certainly less than whatever</p> <p>12 ended up being in the contract?</p> <p>13 A. Right.</p> <p>14 Q. You wrote, "He will fail if he does it</p> <p>15 on the cheap." Do you see that?</p> <p>16 A. Yes.</p> <p>17 Q. Why did you think it would fail if it</p> <p>18 was done on the cheap?</p> <p>19 A. You don't get the top-quality industry</p> <p>20 standard people.</p> <p>21 Q. So in other words, you didn't think</p> <p>22 that you would be able to hire a team that would</p> <p>23 be of the sufficient quality to do the research</p> <p>24 that was being asked for?</p> <p>25 A. No, not with the level of</p>	<p style="text-align: right;">Page 124</p> <p>1 A. I know Bannon.</p> <p>2 Q. What work were you discussing in this</p> <p>3 thread about Steve Bannon, other than he made a</p> <p>4 speech?</p> <p>5 A. Steve has a lot of ideas to do a whole</p> <p>6 lot of things, and one of them was to confront</p> <p>7 the threat that China poses against the</p> <p>8 United States.</p> <p>9 Q. Did you have a dialogue with</p> <p>10 Steve Bannon about the research contemplated by</p> <p>11 this agreement?</p> <p>12 A. No.</p> <p>13 Q. So you never spoke to Steve Bannon</p> <p>14 about Mr. Guo or Eastern Profit?</p> <p>15 A. No, or anything China related, except</p> <p>16 maybe the military problem as a policy matter,</p> <p>17 but nothing to do with Guo or Lianchao.</p> <p>18 Q. Turning to the next page. Do you see</p> <p>19 where you wrote, "I trust your judgment. I'm not</p> <p>20 anxious to dialogue with him further"?</p> <p>21 A. Yes.</p> <p>22 Q. Who were you talking about there?</p> <p>23 A. About Guo.</p> <p>24 Q. Why weren't you anxious to keep talking</p> <p>25 to him?</p>
<p style="text-align: right;">Page 123</p> <p>1 professionalism and security experience,</p> <p>2 certainly not.</p> <p>3 Q. You don't have any recollection as to</p> <p>4 what price he had wanted at that time, or asked</p> <p>5 for at that time?</p> <p>6 A. If I remember correctly, he didn't say</p> <p>7 the price he wanted. He wanted us to give him a</p> <p>8 price and then he kept saying no.</p> <p>9 Q. I see. So you had offered some prices</p> <p>10 and he just said absolutely not?</p> <p>11 A. Right. That's part of the haggling. I</p> <p>12 don't recall him giving a price that he was</p> <p>13 willing to pay, but we settled on the price</p> <p>14 that's in the contract and adjusted the scope</p> <p>15 accordingly.</p> <p>16 Q. In the same text bubble you wrote,</p> <p>17 "Let's focus on the other guy."</p> <p>18 Who's the "other guy"?</p> <p>19 A. I am not sure who it was.</p> <p>20 Q. Is it the same Chinese individual from</p> <p>21 Tokyo that was discussed earlier in the thread?</p> <p>22 A. I don't know. It could have been</p> <p>23 Bannon. I honestly don't know.</p> <p>24 Q. You and Lianchao were talking about</p> <p>25 doing work for Steve Bannon at that time?</p>	<p style="text-align: right;">Page 125</p> <p>1 A. Because he kept coming back with</p> <p>2 different things that he wanted do which didn't</p> <p>3 tie into one another, and he didn't seem serious.</p> <p>4 Q. Do you have experience with people who</p> <p>5 ask for your services, but that ultimately you</p> <p>6 think are really not serious about it?</p> <p>7 A. Yeah. When you're trying to have an</p> <p>8 serious discussion and he brings out his jacket</p> <p>9 after jacket of expensive baby alligator skin</p> <p>10 jackets that were soaked in milk and tailored in</p> <p>11 Ferrari colors, you think what are we doing here?</p> <p>12 Q. When did that occur?</p> <p>13 A. Sometime at his home in December.</p> <p>14 Q. So you went to a meeting to talk about</p> <p>15 this contract in December?</p> <p>16 A. Yes.</p> <p>17 Q. And he instead was showing you clothes?</p> <p>18 A. Clothes. This part was made in Italy</p> <p>19 and this part in Hong Kong, and a Lego set of the</p> <p>20 Tower Bridge in London and all kinds of stuff</p> <p>21 that had nothing to do with anything, and then he</p> <p>22 was being difficult on the things that we wanted</p> <p>23 to talk about. So I said, "I'm not anxious to</p> <p>24 dialogue with him further."</p> <p>25 Q. I got it.</p>

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<p style="text-align: right;">Page 126</p> <p>1 Do you see this message from Lianchao</p> <p>2 Han on December 24, 2017 starting with "I talked</p> <p>3 with him"?</p> <p>4 A. Um-hum.</p> <p>5 Q. What did you understand Lianchao Han to</p> <p>6 be conveying in this message?</p> <p>7 A. Let me read the context. So your</p> <p>8 question?</p> <p>9 Q. Let me ask it this way. The message</p> <p>10 from Lianchao says, "If you fail to provide the</p> <p>11 deliverables as defined in the scope, you should</p> <p>12 return the deposit. What do you think?"</p> <p>13 A. Right.</p> <p>14 Q. What did you understand that to mean?</p> <p>15 A. I spelled it out in the next, in my</p> <p>16 response. So we're dialoguing here. We're not</p> <p>17 defining things. So my response explains -- my</p> <p>18 response would answer your question, my written</p> <p>19 response here.</p> <p>20 Q. Just looking at your response here, you</p> <p>21 wrote, "That probably won't be possible in the</p> <p>22 first 30 days because of the start-up work. I</p> <p>23 suggest a minimum of 90 days." Do you see that?</p> <p>24 A. Yes.</p> <p>25 Q. Did you put anything in the contract</p>	<p style="text-align: right;">Page 128</p> <p>1 away. I said it's not possible.</p> <p>2 Q. That's what you're saying in here?</p> <p>3 When did you tell him it wasn't possible?</p> <p>4 A. The whole time. And Lianchao agreed</p> <p>5 with it. And he would have private meetings in</p> <p>6 Mandarin with Guo about this.</p> <p>7 Q. So you were -- just so we're clear, you</p> <p>8 were communicating with Mr. Guo through Lianchao?</p> <p>9 A. Yes. Lianchao was explicitly acting as</p> <p>10 Guo's agent in this correspondence.</p> <p>11 Q. And did you ever speak at least via</p> <p>12 Signal message or other electronic means with</p> <p>13 Mr. Guo?</p> <p>14 A. No. Pardon me. Not that I recall. I</p> <p>15 don't believe I did, but there might have been in</p> <p>16 the initial stages. I would have destroyed that</p> <p>17 data.</p> <p>18 Q. Okay. Below that it says, "I don't</p> <p>19 know who will sign." Do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. Do you know what Lianchao was talking</p> <p>22 about there?</p> <p>23 A. Who would sign the contract.</p> <p>24 Q. Why was that a question?</p> <p>25 A. It would have been a security question,</p>
<p style="text-align: right;">Page 127</p> <p>1 that memorialized that it wouldn't be possible to</p> <p>2 do any deliverables in the first 90 days?</p> <p>3 A. It's addressed in the contract, yes.</p> <p>4 Q. Where is that?</p> <p>5 A. Well, let's look. I'm saying the</p> <p>6 concerns are addressed in the contract. It has</p> <p>7 the -- it is understood that some of the reports</p> <p>8 were produced on a regular schedule, meaning some</p> <p>9 were not. They'll be irregular. There will</p> <p>10 be -- then it's followed by the irregular</p> <p>11 circumstances clause that we discussed.</p> <p>12 And then there is the 90-day period</p> <p>13 concerning the comprehensive reports which we</p> <p>14 already discussed, the progress reports, then the</p> <p>15 weekly reports, and then the 90-day reports. So</p> <p>16 we're setting up the -- this is the discussion</p> <p>17 toward what ended up in the contract.</p> <p>18 Q. At this point, though, you were talking</p> <p>19 about whether the deliverables meet the scope,</p> <p>20 right?</p> <p>21 A. Yes.</p> <p>22 Q. What deliverables do you think would</p> <p>23 meet the scope? In other words, what's an</p> <p>24 acceptable deliverable?</p> <p>25 A. He had asked for lots of data right</p>	<p style="text-align: right;">Page 129</p> <p>1 meaning Guo would have a surrogate who we would</p> <p>2 understand was signing on his behalf.</p> <p>3 Q. Did Strategic Vision think about having</p> <p>4 a surrogate sign on its behalf for security</p> <p>5 reasons?</p> <p>6 A. You have to ask Strategic Vision. I</p> <p>7 can't answer that.</p> <p>8 Q. You didn't talk to Ms. Wallop about</p> <p>9 that?</p> <p>10 A. No. She was going to sign it because</p> <p>11 it was her company.</p> <p>12 Q. Below that it says, "He proposed you</p> <p>13 and asked us if that would be acceptable to us.</p> <p>14 All of us agreed, let's keep the agreement."</p> <p>15 Do you see that?</p> <p>16 A. Yes. Okay, this refreshes my memory.</p> <p>17 There was a back-and-forth between whether</p> <p>18 Lianchao or Yvette would be the signer.</p> <p>19 Q. And that was on or about December 24th?</p> <p>20 A. Yes, and just prior to it.</p> <p>21 Q. So there was a meeting before that?</p> <p>22 A. There was a back-and-forth with</p> <p>23 Lianchao this whole time. It just wasn't all in</p> <p>24 writing.</p> <p>25 Q. Do you mean on the phone or in person?</p>

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<p>1 A. Never on the phone, always in person.</p> <p>2 Q. So regarding this agreement, you never</p> <p>3 spoke to Lianchao on the phone?</p> <p>4 A. Correct.</p> <p>5 Q. What about Ms. Wang? Did you ever</p> <p>6 speak to her on the phone about this agreement?</p> <p>7 A. I think it was only by Signal. Now,</p> <p>8 let me correct myself. We might have had some</p> <p>9 brief talks on Signal audio.</p> <p>10 Q. Okay.</p> <p>11 A. But I wouldn't have a record of that.</p> <p>12 Q. I understand.</p> <p>13 A. Yes. Here he says, "I don't know who</p> <p>14 will sign," and I said "He," Guo, "proposed you,"</p> <p>15 Lianchao, and asked -- because there was a</p> <p>16 question of Yvette doing it, and because Guo told</p> <p>17 us he didn't trust Yvette, and she's a member of</p> <p>18 the Communist Party, and her parents are senior</p> <p>19 people in the Chinese police, that obviously she</p> <p>20 would be an unreliable person. I could never</p> <p>21 figure out why Guo would hire somebody like that,</p> <p>22 but that's why I did not want her to be involved</p> <p>23 in the signing of the contract.</p> <p>24 Q. When did Mr. Guo tell you that about</p> <p>25 Yvette?</p>	<p>1 Chinese secret police, and he still was having</p> <p>2 dialogue with the ministry of state security</p> <p>3 officials, as he even told us.</p> <p>4 So I don't know what his game was. I</p> <p>5 don't know what divisions he was working. I</p> <p>6 presumed he was working on divisions within the</p> <p>7 Communist Party. So if he trusted her after</p> <p>8 saying he didn't trust her, then he's the client.</p> <p>9 It's his prerogative.</p> <p>10 Q. So even though you found information</p> <p>11 that you thought really maybe endangered this</p> <p>12 project, you still went ahead with it?</p> <p>13 MR. SCHMIDT: Objection.</p> <p>14 A. It didn't endanger the project.</p> <p>15 Q. You didn't feel that it did?</p> <p>16 A. No.</p> <p>17 Q. Let's go to SV69. Do you see where you</p> <p>18 wrote --</p> <p>19 A. Pardon me, I'm reading.</p> <p>20 Q. Go ahead. Take a little bit of time.</p> <p>21 A. Just for the record, SV68 confirms what</p> <p>22 I just told you.</p> <p>23 Q. Please wait for a pending question.</p> <p>24 A. 69.</p> <p>25 Q. Do you see where he wrote -- or I'm</p>
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<p>1 A. I heard about it secondhand because I</p> <p>2 research my clients. The judge asked me about my</p> <p>3 client and I know what he does for his business,</p> <p>4 as well as the people around him. So I found out</p> <p>5 that she was a Communist Party member which Guo</p> <p>6 later confirmed at a lunch at his house after the</p> <p>7 contract was executed. And if I recall, Lianchao</p> <p>8 said something to that same effect, but I don't</p> <p>9 remember if it was before or after the contract</p> <p>10 was executed.</p> <p>11 Q. But even after you knew that or heard</p> <p>12 that, you still continued to work with Yvette</p> <p>13 Wang, right?</p> <p>14 A. Yes.</p> <p>15 Q. Didn't it occur to you that that could</p> <p>16 be a security risk for this project?</p> <p>17 A. Yes, and I told Guo that, and he</p> <p>18 agreed.</p> <p>19 Q. Didn't you feel that that would</p> <p>20 endanger you or your team leader or your team?</p> <p>21 A. Not if it was compartmented. Not if</p> <p>22 there was an anonymity, a barrier between Guo and</p> <p>23 the team that wouldn't endanger them at all. But</p> <p>24 even Guo himself made his fortune through the</p> <p>25 partnership with the number 2 official in the</p>	<p>1 sorry, do you see where you wrote, "If he changes</p> <p>2 his mind on you, it indicates to me he doesn't</p> <p>3 fully trust you. Not a good thing"?</p> <p>4 A. Yes.</p> <p>5 Q. What did you mean by that?</p> <p>6 A. If Guo changes his mind on trusting the</p> <p>7 person he said he trusted, then that's a bad</p> <p>8 sign.</p> <p>9 Q. Do you know why Lianchao didn't end up</p> <p>10 signing the contract?</p> <p>11 A. No.</p> <p>12 Q. Do you know if Mr. Guo stopped trusting</p> <p>13 Lianchao for some reason?</p> <p>14 A. I don't know. He seemed not to trust</p> <p>15 anybody. Toward February 1st, as Yvette had</p> <p>16 noted, Guo had instructed that we only</p> <p>17 communicate through Lianchao again. So he</p> <p>18 regained his trust. But he never told us to stop</p> <p>19 talking to Lianchao.</p> <p>20 Q. So through the life of the agreement,</p> <p>21 you continued to communicate with Lianchao?</p> <p>22 A. Yes.</p> <p>23 Q. Even after Mr. Guo had instructed you</p> <p>24 that you shouldn't, because in his mind, he</p> <p>25 didn't want him to be involved in this anymore?</p>

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<p style="text-align: right;">Page 134</p> <p>1 A. He didn't say don't talk to -- Guo did</p> <p>2 not say don't talk to Lianchao. He just said</p> <p>3 Yvette is going to be the principal point of</p> <p>4 contact.</p> <p>5 Q. So you understood that, I guess, let's</p> <p>6 say, after late December 2017 that there would be</p> <p>7 two points of contact?</p> <p>8 A. Yes. She would be the primary point of</p> <p>9 contact on anything major, but because we had the</p> <p>10 relationship with Lianchao and Lianchao still had</p> <p>11 Guo's confidence, we would talk to Lianchao about</p> <p>12 issues coming up with the project and how we</p> <p>13 might best address them. Yvette did not seem</p> <p>14 to -- she was not able to answer those questions</p> <p>15 for us.</p> <p>16 Q. In the response bubble to your last</p> <p>17 bubble there, it says, "He has sensed my</p> <p>18 disappointment with him."</p> <p>19 A. Yes.</p> <p>20 Q. Do you understand what Lianchao was</p> <p>21 talking about there?</p> <p>22 A. That Guo has sensed Lianchao's</p> <p>23 disappointment with Guo.</p> <p>24 Q. Right. Did you understand what sense</p> <p>25 of disappointment was being discussed?</p>	<p style="text-align: right;">Page 136</p> <p>1 Q. Can you just briefly describe what was</p> <p>2 conveyed in those discussions?</p> <p>3 A. Similar to what was spelled out here.</p> <p>4 There was a cause of frustration with Guo keeping</p> <p>5 focus, Guo keeping a sensible scope of what he</p> <p>6 wanted to do. The difference between Guo being</p> <p>7 unethical in his business practices, which is</p> <p>8 another reason for a deposit, like a retainer,</p> <p>9 but it was not a retainer. Defending Guo when I</p> <p>10 would say I've done research on him and found</p> <p>11 that he's been involved in certain alleged</p> <p>12 nefarious activities, what do you think about it.</p> <p>13 Q. So you raised those issues with</p> <p>14 Lianchao?</p> <p>15 A. Yes.</p> <p>16 Q. What did he say?</p> <p>17 A. He said, "There's a lot there, John.</p> <p>18 This is a complicated place. You don't become a</p> <p>19 billionaire in Communist China by playing by</p> <p>20 American legal standards."</p> <p>21 Q. Let me just ask this. Why do you think</p> <p>22 Lianchao was interested at all in what Mr. Guo</p> <p>23 was doing or trying to do through this contract</p> <p>24 with Eastern Profit?</p> <p>25 A. Because Guo was in the United States</p>
<p style="text-align: right;">Page 135</p> <p>1 A. No. I think Lianchao is very direct</p> <p>2 and methodical. Guo is really not.</p> <p>3 Q. Why was it that you thought that</p> <p>4 Lianchao was disappointed with Guo?</p> <p>5 A. Because Guo was exaggerating. Guo was</p> <p>6 being, again, bringing out his wardrobe to show</p> <p>7 us, showing us his Lego set.</p> <p>8 Q. So Lianchao was at that meeting?</p> <p>9 A. Yes.</p> <p>10 Q. So after that meeting --</p> <p>11 A. Pardon me. That may have been over the</p> <p>12 course of two meetings. I think the Tower Bridge</p> <p>13 Lego set was at a second meeting.</p> <p>14 Q. But to your mind, Lianchao was</p> <p>15 disappointed with Guo because of how he carried</p> <p>16 himself at one or both of these meetings at his</p> <p>17 apartment?</p> <p>18 A. Yes, and I believe other things</p> <p>19 unrelated to our contract.</p> <p>20 Q. What were those other things?</p> <p>21 A. I don't know.</p> <p>22 Q. And Lianchao told you only through this</p> <p>23 Signal message or did you have a discussion with</p> <p>24 him about it?</p> <p>25 A. We had discussions about it.</p>	<p style="text-align: right;">Page 137</p> <p>1 under a form of sanctuary, he can't go back home</p> <p>2 or he'll be arrested, so he's in opposition to</p> <p>3 the Communist Party leadership. That jived with</p> <p>4 both Lianchao's and French Wallop's and my own</p> <p>5 beliefs that the Communist government of China is</p> <p>6 an evil regime, and if we can help fight it in</p> <p>7 any way, great. And if we can make a living</p> <p>8 doing it, great. And if we have a defector or a</p> <p>9 deserter who's come to the United States to put</p> <p>10 up funds to enable that, then this is a win-win</p> <p>11 proposition.</p> <p>12 Q. So you and French Wallop and Mr. Guo</p> <p>13 have kind of an ideological common purpose in</p> <p>14 toppling the Communist regime in China?</p> <p>15 MR. SCHMIDT: Objection. Go ahead.</p> <p>16 A. We thought we did.</p> <p>17 Q. At the time, let's say, December 2017?</p> <p>18 A. Right. Later we began to suspect that</p> <p>19 he was either a double agent or some other kind</p> <p>20 of provocateur, but we could never prove it.</p> <p>21 Q. Just looking at the next text bubble,</p> <p>22 who are Bernie and Judd?</p> <p>23 A. I don't remember Bernie. Let me think</p> <p>24 of Bernie. Judd was former Senator Judd Gregg of</p> <p>25 New Hampshire, G-r-e-g-g.</p>

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<p style="text-align: right;">Page 142</p> <p>1 know anything about computer research. She would</p> <p>2 keep saying -- using very oversimplified terms</p> <p>3 that really made no sense. "That's garbage.</p> <p>4 That's garbage."</p> <p>5 "Well, what do you mean by 'garbage'?"</p> <p>6 Tell me specifically what's useful and what's</p> <p>7 not. She couldn't even say that to us. She</p> <p>8 couldn't convey anything necessary to conduct the</p> <p>9 job.</p> <p>10 Q. Let's talk about when are these</p> <p>11 conversations occurring that you're describing</p> <p>12 here? Was this before the contract or after?</p> <p>13 A. That was on both. The judgment of the</p> <p>14 information was after the contract, but she could</p> <p>15 not hold a conversation about the types of work</p> <p>16 involved prior to the contract.</p> <p>17 Q. Do you feel that she understood the</p> <p>18 research agreement?</p> <p>19 A. Yes, her English was good enough.</p> <p>20 Q. Did she understand what was going to be</p> <p>21 provided in terms of a service?</p> <p>22 You're saying she didn't really</p> <p>23 understand what the work was?</p> <p>24 A. Well, for the same reason anybody hires</p> <p>25 an expert, right? You depend on the expert to do</p>	<p style="text-align: right;">Page 144</p> <p>1 Q. I see. When was that again?</p> <p>2 A. I believe it was February 1, 2018.</p> <p>3 It's in a Signal message.</p> <p>4 Q. Let's look at SV72. Do you see where</p> <p>5 you wrote, "If it is, my main concern is that you</p> <p>6 remain as the filter to ensure quality control</p> <p>7 and ensure that we can protect our sources and</p> <p>8 methods and ensure that New York doesn't release</p> <p>9 information prematurely and put the entire</p> <p>10 project and our people in danger."</p> <p>11 A. Yes.</p> <p>12 Q. "New York" there refers to Mr. Guo?</p> <p>13 A. Yes.</p> <p>14 Q. Why were you concerned about him</p> <p>15 releasing information prematurely?</p> <p>16 A. Because he would go back and forth on</p> <p>17 us in terms of long-term research that he would</p> <p>18 release over time, and therefore not jeopardize</p> <p>19 the existence of the research itself. And then</p> <p>20 because he was so impulsive, he might release</p> <p>21 information prematurely and then alert people we</p> <p>22 were watching that we were watching them.</p> <p>23 Q. I think you've answered it to an</p> <p>24 extent. What would be a premature release of</p> <p>25 information?</p>
<p style="text-align: right;">Page 143</p> <p>1 it, but you would at least want to have a</p> <p>2 conversation about the modalities with that</p> <p>3 expert, and she didn't -- she wasn't up to having</p> <p>4 that type of conversation. Guo was, and she</p> <p>5 interpreted for Guo.</p> <p>6 Q. I see. Let's go to 72. And just</p> <p>7 before we talk about that.</p> <p>8 When did Lianchao stop being your</p> <p>9 primary point of contact?</p> <p>10 A. As I recall, it was the last few days</p> <p>11 of December.</p> <p>12 Q. Okay.</p> <p>13 A. Roughly right after Christmas.</p> <p>14 Q. Before, you said he had gotten back</p> <p>15 involved again later on.</p> <p>16 A. Yes.</p> <p>17 Q. When was that?</p> <p>18 A. When we were instructed to -- well, it</p> <p>19 was various, because sometimes he would indicate</p> <p>20 that Guo wanted to convey a message through him</p> <p>21 verbally and not through Yvette, but in writing</p> <p>22 it was on February 1st when Yvette instructed me</p> <p>23 that she would no longer be the point of contact</p> <p>24 and that I was to communicate only through</p> <p>25 Lianchao.</p>	<p style="text-align: right;">Page 145</p> <p>1 A. Let's say he releases information on</p> <p>2 person X while we are still researching person X.</p> <p>3 Once you know you're being followed -- once</p> <p>4 person X knows he or she is being followed,</p> <p>5 they're going to make it more difficult to put up</p> <p>6 countermeasures or do whatever to prevent being</p> <p>7 observed. So we wanted to make sure that that</p> <p>8 didn't happen so that we could continue to</p> <p>9 execute on the project.</p> <p>10 Q. Did you understand that ultimately</p> <p>11 information about the research subjects would be</p> <p>12 released?</p> <p>13 A. Yes.</p> <p>14 Q. When did you come to that</p> <p>15 understanding?</p> <p>16 A. That was explicit from the beginning.</p> <p>17 Q. Did Strategic Vision and Ms. Wallop</p> <p>18 understand that too?</p> <p>19 A. Yes.</p> <p>20 Q. So the collateral damage you're talking</p> <p>21 about there would be what?</p> <p>22 A. The collateral damage would be the</p> <p>23 existence that we were invading the personal</p> <p>24 information of senior members of the Chinese</p> <p>25 Communist Party, the secret police, and their</p>

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<p>1 Did you ever discuss this research</p> <p>2 assignment with Bill Gertz or William Gertz?</p> <p>3 A. Only at the beginning when he was</p> <p>4 facilitating it.</p> <p>5 Q. Can you describe what that discussion</p> <p>6 was and where that was?</p> <p>7 A. I don't recall.</p> <p>8 Q. Can you tell me when you talked to</p> <p>9 Bill Gertz?</p> <p>10 A. Probably November, December of 2017.</p> <p>11 It was pre-contract.</p> <p>12 Q. What was the nature of the discussion?</p> <p>13 What was discussed?</p> <p>14 A. I thanked him for putting this</p> <p>15 together. I asked him if he wanted to be a part</p> <p>16 of it. He said no.</p> <p>17 Q. What do you mean by "be a part of it"?</p> <p>18 A. He's an investigative journalist, has</p> <p>19 been for more than 30, 35 years ever since I've</p> <p>20 known him, so I wondered if he wanted to be part</p> <p>21 of it. And since Guo trusted him, he would be an</p> <p>22 ideal person to have on board.</p> <p>23 Q. In terms of an intermediary or someone</p> <p>24 providing services?</p> <p>25 A. Providing services. He has excellent</p>	<p>1 Q. So like social media or print</p> <p>2 journalism, things like that?</p> <p>3 A. Yeah, public diplomacy, just messaging.</p> <p>4 Q. Let's go to the next exhibit.</p> <p>5 MR. GRENDI: Exhibit 6.</p> <p>6 (Waller Exhibit 6, Document entitled</p> <p>7 "Anita Yui Suen", marked for</p> <p>8 identification.)</p> <p>9 MR. GRENDI: Joe, do you have any</p> <p>10 objection to me giving this to co-counsel,</p> <p>11 co-defendant?</p> <p>12 MR. SCHMIDT: No, that's fine.</p> <p>13 Q. Do you recognize this document?</p> <p>14 A. Yes.</p> <p>15 Q. Generally speaking, what is this?</p> <p>16 A. This is the document that Miles Kwok</p> <p>17 provided for us for the research project. This</p> <p>18 is his list of targeted names.</p> <p>19 Q. Is this the list of fish that when</p> <p>20 they're describing it?</p> <p>21 A. Yes.</p> <p>22 Q. When did you first see this document?</p> <p>23 A. As I recall, shortly after the contract</p> <p>24 was executed, or signed. It was shortly after it</p> <p>25 was signed.</p>
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<p>1 contacts in the intelligence community.</p> <p>2 Q. I see. That was the only time you ever</p> <p>3 spoke to Bill Gertz about this matter?</p> <p>4 A. Yeah, as far as I can tell. It might</p> <p>5 have been a casual hey, things are still going.</p> <p>6 It was nothing in any detail, not in violation of</p> <p>7 any confidence.</p> <p>8 Q. I wasn't saying it was or wasn't. I'm</p> <p>9 just asking if you spoke to Bill Gertz about this</p> <p>10 agreement or research agreement after your</p> <p>11 initial meeting with him that you described from</p> <p>12 November or December of 2017.</p> <p>13 A. I mean, we've been friends for a long</p> <p>14 time, so more than a how's-it-going-type thing,</p> <p>15 nothing of substance.</p> <p>16 Q. And you're still in touch with</p> <p>17 Bill Gertz as friends or colleagues?</p> <p>18 A. Yeah. I'm working with him and</p> <p>19 Rich Higgins on another project.</p> <p>20 Q. Another investigation project?</p> <p>21 A. An information messaging project.</p> <p>22 Q. What do you mean by that? Is that a</p> <p>23 different service than investigatory research?</p> <p>24 A. Yeah, it's putting out a message as</p> <p>25 opposed to investigating.</p>	<p>1 Q. Does January 8th or 9th sound right?</p> <p>2 A. Approximately.</p> <p>3 Q. How did you receive it?</p> <p>4 A. On a USB drive that Yvette had provided</p> <p>5 to French Wallop.</p> <p>6 Q. So you received the USB drive with the</p> <p>7 information in Exhibit 6 from French Wallop,</p> <p>8 then?</p> <p>9 A. Yes.</p> <p>10 Q. Who had gotten the information from</p> <p>11 Yvette Wang?</p> <p>12 A. Yvette had handed -- she had given</p> <p>13 us -- or she had given French, rather, USB drives</p> <p>14 that were corrupted. So French had to go up to</p> <p>15 New York to get uncorrupted versions of the drive</p> <p>16 and then bring it down. That's what was on this.</p> <p>17 This document was on that drive.</p> <p>18 Q. Right. So did you see this document</p> <p>19 from the initial drive that was given to</p> <p>20 French Wallop on January 6th or from, as you just</p> <p>21 mentioned, drives that were given subsequently?</p> <p>22 A. As I recall, I did not see anything in</p> <p>23 the corrupted drives. This was the non-corrupted</p> <p>24 drive a few days later.</p> <p>25 Q. Okay. Do you recall when the</p>

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<p style="text-align: right;">Page 174</p> <p>1 Q. Did there come a time when he just</p> <p>2 said, do it by brute force. I don't care what it</p> <p>3 takes. Just access that account?</p> <p>4 A. Not on that one particularly, but on</p> <p>5 another one, that's when we told him it was</p> <p>6 illegal and he got angry.</p> <p>7 Q. So Strategic Vision never accessed</p> <p>8 Anita Suen's CITIC account?</p> <p>9 A. No. If I recall correctly, it was that</p> <p>10 team 1 reported they went back to access it, and</p> <p>11 there were other people trying to access that</p> <p>12 same account. Guo had said to us on two</p> <p>13 occasions that he had three or four other teams.</p> <p>14 Team 1 raised a red flag for me. Then</p> <p>15 when I met with the team 1 leader, he explained</p> <p>16 it. He said they stopped the activity because</p> <p>17 they did not want to damage anything that Guo's</p> <p>18 other teams might be doing.</p> <p>19 Q. Where was that meeting with the team 1</p> <p>20 leader?</p> <p>21 A. In Europe.</p> <p>22 Q. In which part?</p> <p>23 A. It would be in Ireland. No, pardon me.</p> <p>24 That one was in the United States.</p> <p>25 Q. The team 1 leader was in the</p>	<p style="text-align: right;">Page 176</p> <p>1 the job would be. The European ones -- that was</p> <p>2 before the contract. The European ones were to</p> <p>3 have him deliver the, quote, reports on the USB</p> <p>4 drives after the contract was signed.</p> <p>5 Q. So those are the only two categories of</p> <p>6 reasons to meet?</p> <p>7 A. Was to coordinate the scope of the</p> <p>8 work, the nature of the work, the verification</p> <p>9 that the work was being done, and then the work</p> <p>10 product.</p> <p>11 Q. Just going back to this Exhibit 6.</p> <p>12 What did you do with this information once you</p> <p>13 got it?</p> <p>14 A. I gave it to team 1.</p> <p>15 Q. Where was that?</p> <p>16 A. That was by USB drive that I handed to</p> <p>17 team 1 in Washington, D.C. or Arlington,</p> <p>18 Virginia.</p> <p>19 Q. And then did you understand that team 1</p> <p>20 was going to fly off to Europe to use the data?</p> <p>21 A. Yes, immediately.</p> <p>22 Q. What date was that?</p> <p>23 A. Within 24 hours of receiving the USB</p> <p>24 drive.</p> <p>25 Q. So on or around January 9th,</p>
<p style="text-align: right;">Page 175</p> <p>1 United States, and you met with him here?</p> <p>2 A. Yes, on that occasion.</p> <p>3 Q. How many times did you meet with the</p> <p>4 team 1 leader?</p> <p>5 A. I may have to amend this statement</p> <p>6 later when I see the written transcript because</p> <p>7 I'm not exactly sure of certain dates.</p> <p>8 MR. SCHMIDT: Just do the best you can.</p> <p>9 Don't speculate.</p> <p>10 MR. GRENDI: Yeah, sure.</p> <p>11 Q. How many times did you meet with the</p> <p>12 team 1 leader in connection with this engagement?</p> <p>13 A. Maybe eight or ten times.</p> <p>14 Q. And some of those meetings were in the</p> <p>15 United States?</p> <p>16 A. Yes.</p> <p>17 Q. And some of them were in Ireland?</p> <p>18 A. Ireland and Germany.</p> <p>19 Q. Anywhere else?</p> <p>20 A. No.</p> <p>21 Q. So when did those meetings begin?</p> <p>22 A. The U.S. ones or the foreign ones?</p> <p>23 Q. The first one, wherever it was?</p> <p>24 A. The U.S. ones were to arrange the</p> <p>25 parameters of the -- set the parameters of what</p>	<p style="text-align: right;">Page 177</p> <p>1 January 10th?</p> <p>2 A. Roughly. It was very rapid.</p> <p>3 Q. Was the leader of team 1 like on</p> <p>4 standby, kind of waiting to get the information</p> <p>5 in the United States --</p> <p>6 A. Yes.</p> <p>7 Q. -- so that he could --</p> <p>8 A. Pardon me. I didn't mean to intrude.</p> <p>9 MR. SCHMIDT: Let him finish the</p> <p>10 question even if you know where it's going.</p> <p>11 THE WITNESS: Okay.</p> <p>12 Q. Looking at this document. Did you</p> <p>13 review it after receiving it to verify the</p> <p>14 contents?</p> <p>15 A. Yes. We printed it out to be able to</p> <p>16 look at it, write it up, make sure we understood</p> <p>17 what was in it, what things meant, what certain</p> <p>18 of the relations were, and then to -- and what</p> <p>19 certain of the documentation was that was</p> <p>20 displayed in them.</p> <p>21 Q. So when you first reviewed it, did you</p> <p>22 have any reason to think the information included</p> <p>23 was inaccurate or wrong?</p> <p>24 A. No.</p> <p>25 Q. You kind of indicated earlier that you</p>

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<p style="text-align: right;">Page 178</p> <p>1 thought some of the information was wrong. Can</p> <p>2 you please -- you don't have to say their names,</p> <p>3 but just point to the numbered individuals where</p> <p>4 you think that applies?</p> <p>5 A. I can't point to them off the top of my</p> <p>6 head, but there were two data points here. First</p> <p>7 was from team 1 that said that they were -- they</p> <p>8 found two and possibly three that were wrong.</p> <p>9 And then Lianchao said that three and possibly</p> <p>10 four were wrong.</p> <p>11 Q. So one of the issues you encountered</p> <p>12 you're saying is that the information provided</p> <p>13 was what, inaccurate? Or what did the leader of</p> <p>14 team 1 tell you?</p> <p>15 A. The leader of team 1 said that at least</p> <p>16 one of the names was misspelled in Mandarin, and</p> <p>17 since there were various transliterations of the</p> <p>18 names in English, they needed the accurate</p> <p>19 transliteration. Then they suspected that others</p> <p>20 were simply false people, false persona.</p> <p>21 Q. What do you mean by that? That they</p> <p>22 were not real people or they were fake documents?</p> <p>23 What does that mean?</p> <p>24 A. Team 1 suspected that they were not</p> <p>25 real people. They were false identities for the</p>	<p style="text-align: right;">Page 180</p> <p>1 A. In the first week in February, right</p> <p>2 after Yvette instructed us to find a different</p> <p>3 means of getting data.</p> <p>4 Q. So what did they report to you was a</p> <p>5 problem with the list of fish?</p> <p>6 A. They said there were many problems with</p> <p>7 this list of fish. First, that there were</p> <p>8 several passports that were false, and they</p> <p>9 suspected they had been forged from a Chinese</p> <p>10 infiltration of a passport office in Texas.</p> <p>11 They found -- the most important thing</p> <p>12 they found was that all of the main 15 names had</p> <p>13 been designated by federal authorities as records</p> <p>14 protected, and that it was a crime to try to get</p> <p>15 their records, because these individuals were</p> <p>16 somehow either the subject of an active U.S.</p> <p>17 criminal or counterintelligence investigation or</p> <p>18 were Chinese nationals collaborating with the</p> <p>19 U.S. authorities.</p> <p>20 Q. Okay. So what does "records protected"</p> <p>21 mean to you?</p> <p>22 A. The way we were told by the research</p> <p>23 team was -- and by others when we looked at it, I</p> <p>24 had not heard the term before -- that any records</p> <p>25 pertaining -- any official records pertaining to</p>
<p style="text-align: right;">Page 179</p> <p>1 purposes of laundering money or committing other</p> <p>2 illegal activity.</p> <p>3 Q. In other words, if I remember from the</p> <p>4 "Shawshank Redemption," it's a fake person.</p> <p>5 Someone who doesn't even exist?</p> <p>6 A. Yeah, that's the way we understood it.</p> <p>7 Q. Were there any other issues with the</p> <p>8 list of fish here?</p> <p>9 A. For team 1?</p> <p>10 Q. Yeah.</p> <p>11 A. We found that some of the documents</p> <p>12 that are displayed here were themselves false.</p> <p>13 Q. What do you mean by that? That they</p> <p>14 were forgeries?</p> <p>15 A. Yes. The Canadian passport of one of</p> <p>16 the individuals was a forgery.</p> <p>17 Q. Anything else you can remember about</p> <p>18 what you've described as fake documents?</p> <p>19 A. Not from team 1. From team 2 we found</p> <p>20 some more American passports that were forgeries.</p> <p>21 Q. Let's describe that. Team 2 -- who ran</p> <p>22 team 2?</p> <p>23 A. That was the ASOG, A-S-O-G, in Texas.</p> <p>24 Q. When did you give this information to</p> <p>25 ASOG?</p>	<p style="text-align: right;">Page 181</p> <p>1 those individuals were protected by the</p> <p>2 U.S. government. Meaning you could not go to,</p> <p>3 say, the state of California contact to get their</p> <p>4 driver's license number. That would be a crime.</p> <p>5 Q. How would a person know that it was a</p> <p>6 crime?</p> <p>7 A. You don't know unless you know whose</p> <p>8 record is protected.</p> <p>9 Q. Right.</p> <p>10 A. We didn't know, so we had no idea. So</p> <p>11 we related this to Guo, hey, this is a crime to</p> <p>12 do it. Let's figure out something else or get</p> <p>13 another list of fish.</p> <p>14 Q. I want to go back there. You're saying</p> <p>15 that these people have information that's in the</p> <p>16 public domain that you could otherwise, if they</p> <p>17 weren't records-protected, access?</p> <p>18 A. Or they're in the semipublic domain.</p> <p>19 Q. Okay. Something that a regular</p> <p>20 investigator could find if they use databases or</p> <p>21 other sources to get that information?</p> <p>22 A. Right. Some of these are protected,</p> <p>23 meaning they're not officially accessible, but if</p> <p>24 you have a contact in the system, you can ask</p> <p>25 them and they'll run a check for you. So you</p>

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<p style="text-align: right;">Page 186</p> <p>1 Europe, how did you monitor the research process,</p> <p>2 if at all?</p> <p>3 A. I would meet with the team 1 leader</p> <p>4 approximately every week during the beginning of</p> <p>5 the contract.</p> <p>6 Q. Let's see if you remember. What was</p> <p>7 the first monitoring meeting you had with the</p> <p>8 team 1 leader after the contract was signed?</p> <p>9 A. It was between January 17th and</p> <p>10 January 20th, if I recall correct.</p> <p>11 Q. Just going back to this information in</p> <p>12 Exhibit 6. Was this more information than you</p> <p>13 normally get when you start an investigation</p> <p>14 project?</p> <p>15 A. This was very specific, and Guo</p> <p>16 explained the meaning of it. It was more in the</p> <p>17 sense that Guo said he paid a quarter of a</p> <p>18 billion dollars for this file that we have here</p> <p>19 as Waller 6. He paid \$250 million, so he said.</p> <p>20 Q. Did you believe that statement?</p> <p>21 A. No.</p> <p>22 Q. You think maybe there was a translation</p> <p>23 issue there?</p> <p>24 A. No, there was not. I said, "Billion or</p> <p>25 million?" I couldn't believe it. Guo insisted.</p>	<p style="text-align: right;">Page 188</p> <p>1 Q. What's kind of the bare minimum</p> <p>2 starting point?</p> <p>3 A. Place of work or residence, nationality</p> <p>4 even.</p> <p>5 Q. So there's more than that kind of</p> <p>6 information in here, right?</p> <p>7 A. Yes.</p> <p>8 Q. But it's not the most information you</p> <p>9 were ever given?</p> <p>10 A. Oh, no, I've had far more detailed</p> <p>11 information.</p> <p>12 Q. Did you get any more information about</p> <p>13 how Eastern Profit or Mr. Guo acquired this list</p> <p>14 of names and information?</p> <p>15 A. Guo told us that he had it done</p> <p>16 himself. He commissioned it all himself through</p> <p>17 years of work through other research companies</p> <p>18 worldwide.</p> <p>19 Q. So peers or competitors of Strategic</p> <p>20 Vision or yourself?</p> <p>21 A. Yeah, yeah. But also my suspicion was</p> <p>22 that he also got this information from the</p> <p>23 Communist Chinese secret police because of the</p> <p>24 nature of how some of it is so specific in China;</p> <p>25 like passports, for example.</p>
<p style="text-align: right;">Page 187</p> <p>1 Lianchao later said, "He likes to exaggerate."</p> <p>2 Q. The information in here includes dates</p> <p>3 of birth --</p> <p>4 A. Right.</p> <p>5 Q. -- ID numbers, locations, passport</p> <p>6 numbers, is that right?</p> <p>7 A. Yes.</p> <p>8 Q. Is that more information than Strategic</p> <p>9 Vision or you usually start with when you begin</p> <p>10 an investigation?</p> <p>11 A. I can't speak for Strategic Vision, but</p> <p>12 speaking personally it depends on the case. It</p> <p>13 depends on the nature of the information that we</p> <p>14 get. Sometimes it's even more specific.</p> <p>15 Q. Is this sort of information helpful in</p> <p>16 terms of jump-starting or accelerating an</p> <p>17 investigation?</p> <p>18 MR. SCHMIDT: Objection.</p> <p>19 A. You can't start an investigation</p> <p>20 without a starting point. This was the starting</p> <p>21 point.</p> <p>22 Q. I'm saying have you ever started an</p> <p>23 investigation just with someone's name?</p> <p>24 A. You need more than just a name,</p> <p>25 generally.</p>	<p style="text-align: right;">Page 189</p> <p>1 Q. Regarding the research, what was your</p> <p>2 understanding of why Eastern and Mr. Guo or</p> <p>3 whoever wanted this information?</p> <p>4 A. He wanted it to tear apart the Chinese</p> <p>5 Communist Party leadership.</p> <p>6 Q. So was it your understanding that, once</p> <p>7 he got the research information from Strategic</p> <p>8 Vision or you, that he would then publicize or</p> <p>9 otherwise disseminate that information?</p> <p>10 A. Yes.</p> <p>11 Q. I just want to look at Strategic Vision</p> <p>12 175.</p> <p>13 MR. SCHMIDT: You have to look at the</p> <p>14 lower right-hand corner.</p> <p>15 A. Okay.</p> <p>16 Q. It looks like there was a Post-it note</p> <p>17 on this document. Do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. Whose handwriting is on that Post-it</p> <p>20 note?</p> <p>21 A. It looks like French Wallop's</p> <p>22 handwriting.</p> <p>23 Q. That's not your handwriting?</p> <p>24 A. No. I have not seen this before. I</p> <p>25 have not seen the Post-it note before.</p>

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<p style="text-align: right;">Page 210</p> <p>1 Q. I understand. Did you tell them that</p> <p>2 you were going to fly to Europe to get the next</p> <p>3 tranche of information?</p> <p>4 A. Yes.</p> <p>5 Q. And did you?</p> <p>6 A. Yes.</p> <p>7 Q. When was that?</p> <p>8 A. Within a couple of days. I think it</p> <p>9 was the 29th.</p> <p>10 Q. That you flew to Europe?</p> <p>11 A. Yes.</p> <p>12 Q. And then did you fly right back?</p> <p>13 A. Yes, the same day.</p> <p>14 Q. What country was that?</p> <p>15 A. I went to Ireland first, and then while</p> <p>16 in Ireland, I booked a flight to Germany just so</p> <p>17 that I would not have a preexisting flight to</p> <p>18 Germany, to Frankfurt. I met the contact in</p> <p>19 Frankfurt.</p> <p>20 Q. Oh, i see. So you flew to Ireland, and</p> <p>21 then you booked a flight to Germany to meet the</p> <p>22 leader of team 1?</p> <p>23 A. Yes.</p> <p>24 Q. That travel plan that you just</p> <p>25 described is to avoid people knowing your</p>	<p style="text-align: right;">Page 212</p> <p>1 A. I came in from Newark Airport by rail</p> <p>2 to Penn Station, met her at that restaurant with</p> <p>3 her male companion. She and I sat next to each</p> <p>4 other. I used a virgin computer, meaning one</p> <p>5 that had never been on the internet or had never</p> <p>6 been used for anything besides my drives, and</p> <p>7 scrolled through the information with her on the</p> <p>8 screen.</p> <p>9 Q. This was in like the booth of the</p> <p>10 restaurant?</p> <p>11 A. Yes.</p> <p>12 Q. What did you explain to her as you were</p> <p>13 doing that?</p> <p>14 A. I said, "This is just as we reported.</p> <p>15 There are 16 useful lines of code in here."</p> <p>16 MR. GRENDI: Let's do Exhibit 7.</p> <p>17 (Waller Exhibit 7, Background Report on</p> <p>18 Qing Yao, marked for identification.)</p> <p>19 Q. Just looking at the first page, do you</p> <p>20 recognize this document?</p> <p>21 A. No.</p> <p>22 Q. Do you know whether or not this</p> <p>23 information was in the 80 gigabytes of data?</p> <p>24 A. No.</p> <p>25 Q. And you never reviewed this report?</p>
<p style="text-align: right;">Page 211</p> <p>1 itinerary?</p> <p>2 A. Right.</p> <p>3 Q. So then you met the leader of team 1 in</p> <p>4 Germany on or about the 29th?</p> <p>5 A. I think it was the 30th.</p> <p>6 Q. Then you flew right back to the</p> <p>7 United States?</p> <p>8 A. Yes.</p> <p>9 Q. What did you do next?</p> <p>10 A. Then I delivered the material to Yvette</p> <p>11 at Penn Station.</p> <p>12 Q. Was that at Tracks Bar?</p> <p>13 A. Sounds right.</p> <p>14 Q. That was about 80 gigabytes of data or</p> <p>15 thereabouts?</p> <p>16 A. Yes.</p> <p>17 Q. Did you even have a chance to review</p> <p>18 that information?</p> <p>19 A. It was code. I was told in advance</p> <p>20 what it was. Team 1 said it's only 80 gigs of</p> <p>21 data of which 16 lines of code are important. I</p> <p>22 told this to Yvette before traveling. She said,</p> <p>23 "I don't care. Bring it back anyway."</p> <p>24 Q. Just describe the meeting where you</p> <p>25 handed the 80 gigabytes of data to Yvette.</p>	<p style="text-align: right;">Page 213</p> <p>1 A. I'm not familiar with this report. You</p> <p>2 just said, "Look at the first page."</p> <p>3 Q. If you want to take a look through for</p> <p>4 more to see if you know it, go ahead.</p> <p>5 A. I don't recognize this document.</p> <p>6 Q. So you don't know who created it?</p> <p>7 A. No.</p> <p>8 Q. Going back to that 80-gigabyte drive.</p> <p>9 Did you on your flight back have a chance to</p> <p>10 review it or look at any of the data?</p> <p>11 A. No.</p> <p>12 Q. Is that because you didn't have a</p> <p>13 laptop with you?</p> <p>14 A. You don't -- computers on planes are</p> <p>15 not secure.</p> <p>16 Q. And you didn't have any time in Germany</p> <p>17 before your flight home to look at the data?</p> <p>18 A. No. The team 1 leader explained to me</p> <p>19 what the data contained. If it's 80 gigabytes of</p> <p>20 code and only 16 lines are useful, you only need</p> <p>21 to know what's on those 16 lines. Those 16 lines</p> <p>22 were the email addresses and encrypted passwords</p> <p>23 of several people on Guo's target list.</p> <p>24 Q. So the team had been able to obtain the</p> <p>25 email address and passwords for some of the</p>

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<p style="text-align: right;">Page 214</p> <p>1 members or some of the individuals listed in the</p> <p>2 Exhibit 6?</p> <p>3 A. Yes. The encrypted passwords, not the</p> <p>4 passwords themselves.</p> <p>5 Q. What is the difference?</p> <p>6 A. It shows -- the encrypted password</p> <p>7 shows the characters that aren't the characters</p> <p>8 of the password. So it's so-and-so@yahoo.com and</p> <p>9 then a series of characters that are the</p> <p>10 encrypted password.</p> <p>11 Q. What use is that information from an</p> <p>12 investigation perspective?</p> <p>13 A. It gives you the email address and the</p> <p>14 fact that there is a password that's decryptable.</p> <p>15 It's within the code. It's just a question of</p> <p>16 mathematically decrypting it.</p> <p>17 Q. I see. So the information provided</p> <p>18 could show that there is a path to getting the</p> <p>19 password of the individual fish?</p> <p>20 A. Yes.</p> <p>21 Q. And that through that, other</p> <p>22 information could come?</p> <p>23 A. Yes.</p> <p>24 MR. GRENDI: Let's do 8.</p> <p>25 (Waller Exhibit 8, Letter dated</p>	<p style="text-align: right;">Page 216</p> <p>1 A. Because we were working with Lianchao</p> <p>2 to execute the contract and had not been in</p> <p>3 contact at all with Yvette since February 1st</p> <p>4 when she told us not to communicate with her, but</p> <p>5 to communicate only with Lianchao. So we had no</p> <p>6 idea that anything representing a lawsuit was</p> <p>7 ever under consideration.</p> <p>8 Q. After you started communicating</p> <p>9 exclusively with Lianchao about this contract,</p> <p>10 what other reports did you deliver?</p> <p>11 A. There was a third electronic thumb</p> <p>12 drive and then verbal communication with</p> <p>13 Lianchao. By this time, Lianchao was saying that</p> <p>14 Guo was very dissatisfied and for us to not</p> <p>15 worry. He's working on it.</p> <p>16 Q. I just want to understand the last</p> <p>17 thing you said there. Not to worry and you're</p> <p>18 working on it, who are you talking about there?</p> <p>19 A. Lianchao said, "Guo is dissatisfied,</p> <p>20 but no worries. I'm working with him on it." I,</p> <p>21 Lianchao, am working with Guo on it.</p> <p>22 Q. What did the third USB drive that you</p> <p>23 delivered contain?</p> <p>24 A. It contained more data, more extensive</p> <p>25 data.</p>
<p style="text-align: right;">Page 215</p> <p>1 February 23, 2018, marked for</p> <p>2 identification.)</p> <p>3 Q. Mr. Waller, do you recognize this</p> <p>4 letter?</p> <p>5 A. Yes.</p> <p>6 Q. Just going back to the 80-gigabyte</p> <p>7 drive we were talking about earlier. Did you</p> <p>8 give that information to Ms. Wallop before giving</p> <p>9 it to Mrs. Wang?</p> <p>10 A. No.</p> <p>11 Q. So she never saw that information on</p> <p>12 January 29th or January 30th?</p> <p>13 A. No.</p> <p>14 Q. Did there come a time when you reviewed</p> <p>15 that information with Ms. Wallop?</p> <p>16 A. No.</p> <p>17 Q. Just turning back to 8 here. When did</p> <p>18 you first see this letter?</p> <p>19 A. On February 23, 2018.</p> <p>20 Q. How did you get it?</p> <p>21 A. I got it in a Signal text message from</p> <p>22 Yvette.</p> <p>23 Q. Were you surprised by this letter?</p> <p>24 A. Yes.</p> <p>25 Q. Why is that?</p>	<p style="text-align: right;">Page 217</p> <p>1 Q. How did you deliver that?</p> <p>2 A. By hand.</p> <p>3 Q. To whom?</p> <p>4 A. To Lianchao.</p> <p>5 Q. Did you ever discuss that third</p> <p>6 delivery with Mr. Guo or anyone from Eastern?</p> <p>7 A. No, because Lianchao was Guo's agent</p> <p>8 and our sole interlocutor.</p> <p>9 Q. At that time?</p> <p>10 A. Right. Varying back and forth with</p> <p>11 Yvette. But per Yvette's February 1st</p> <p>12 instruction she said New York -- or whatever</p> <p>13 euphemism she used -- now wants you to talk only</p> <p>14 to a euphemism for Lianchao. That's in the</p> <p>15 February 1st Signal communication.</p> <p>16 Q. So what was the response to this third</p> <p>17 delivery you're describing?</p> <p>18 A. He just accepted it and said he would</p> <p>19 relay it.</p> <p>20 Q. Did you get any feedback?</p> <p>21 A. No.</p> <p>22 Q. About when was that?</p> <p>23 A. I'm guessing roughly February 10th.</p> <p>24 Q. Were there any reports that you</p> <p>25 delivered after February 10th?</p>

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<p style="text-align: right;">Page 226</p> <p>1 MR. GRENDI: Let's go to 9.</p> <p>2 (Waller Exhibit 9, Document Bates</p> <p>3 stamped SVUS000077, marked for</p> <p>4 identification.)</p> <p>5 Q. Do you recognize this document?</p> <p>6 A. Yes.</p> <p>7 Q. Looking at that top right-hand corner,</p> <p>8 there's some handwriting there. Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. Is that your handwriting or someone</p> <p>11 else's?</p> <p>12 A. No, it's someone else's.</p> <p>13 Q. Is it French's handwriting?</p> <p>14 A. It appears to be.</p> <p>15 Q. Did you draft this document?</p> <p>16 A. Yes.</p> <p>17 Q. Did you draft it alone or did you work</p> <p>18 with French on it?</p> <p>19 A. I worked with French and Lianchao.</p> <p>20 Q. When was the first meeting with Guo?</p> <p>21 A. I want to say December 9th. I'm not</p> <p>22 certain. I have the train receipt that would</p> <p>23 mark that date.</p> <p>24 Q. Was Bill Gertz at that meeting?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 228</p> <p>1 you described it, "totalitarian regime"?</p> <p>2 A. It's not a Strategic Vision one; it's</p> <p>3 my own.</p> <p>4 Q. It's your own?</p> <p>5 A. -yes. And not a playbook; it was</p> <p>6 designed custom to present to Guo.</p> <p>7 Q. So this is based on your analysis and</p> <p>8 experience?</p> <p>9 A. Yeah.</p> <p>10 Q. This document?</p> <p>11 A. Yes.</p> <p>12 Q. What was Mrs. French's involvement with</p> <p>13 creating this document, if any?</p> <p>14 A. Mrs. Wallop, she was part of the</p> <p>15 discussions leading up to part of the</p> <p>16 brainstorming with Lianchao to get the ideas</p> <p>17 together to draw up this plan.</p> <p>18 Q. Were these your ideas as to what</p> <p>19 Mr. Guo should do or did he tell you this is what</p> <p>20 he wanted to do?</p> <p>21 A. He didn't tell us anything at that</p> <p>22 time. It was Lianchao who did. So I combined</p> <p>23 what he wanted with what I thought would best</p> <p>24 suit his goals.</p> <p>25 Q. Did you give the document to Mr. Guo or</p>
<p style="text-align: right;">Page 227</p> <p>1 Q. So who was there?</p> <p>2 A. It was French, Lianchao, Guo, and</p> <p>3 myself.</p> <p>4 Q. Had you prepared this document in</p> <p>5 advance of that meeting?</p> <p>6 A. Yes.</p> <p>7 Q. Where did you get the ideas for this</p> <p>8 "Vision," as it's titled?</p> <p>9 A. Through my career of fighting</p> <p>10 totalitarian dictatorships and helping defectors</p> <p>11 or others to come up and be a spokesman for the</p> <p>12 opposition.</p> <p>13 Q. Why did you think "Mr. G," as it's</p> <p>14 titled in this document, would be interested in</p> <p>15 this suite of services?</p> <p>16 A. This was based on our conversations</p> <p>17 with Lianchao.</p> <p>18 Q. I see. So had Lianchao described to</p> <p>19 you what Mr. Guo was trying to do?</p> <p>20 A. Yes.</p> <p>21 Q. Based on those conversations, you</p> <p>22 created this "Vision" document?</p> <p>23 A. Yes.</p> <p>24 Q. Is this sort of a Strategic Vision</p> <p>25 playbook for waging a campaign to topple a, as</p>	<p style="text-align: right;">Page 229</p> <p>1 Lianchao?</p> <p>2 A. Yes, to both of them.</p> <p>3 Q. You handed them a paper document?</p> <p>4 A. Yes.</p> <p>5 Q. But Mr. Guo didn't engage with</p> <p>6 Strategic Vision or you to provide these</p> <p>7 services, right?</p> <p>8 A. Not in a contractual way.</p> <p>9 Q. Let me ask you this. Is there another</p> <p>10 agreement between Mr. Guo -- strike that.</p> <p>11 Did Strategic Vision and Mr. Guo come</p> <p>12 to an agreement concerning the services in this</p> <p>13 document?</p> <p>14 A. No, he decided just to go with the</p> <p>15 opposition research.</p> <p>16 Q. So everything else in here was kind of</p> <p>17 scrapped?</p> <p>18 A. Yes.</p> <p>19 Q. Do you know why Mr. Guo didn't engage</p> <p>20 with Strategic Vision on these other items?</p> <p>21 A. No.</p> <p>22 MR. GRENDI: Let's do 10.</p> <p>23 (Waller Exhibit 10, Document Bates</p> <p>24 stamped SVUS80, marked for identification.)</p> <p>25 Q. Do you recognize this document?</p>

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<p style="text-align: right;">Page 230</p> <p>1 A. Yes.</p> <p>2 Q. This is the first document. It's Bates</p> <p>3 stamped SV80.</p> <p>4 Did you draft this document as well?</p> <p>5 A. Yes.</p> <p>6 Q. What was this document drafted for?</p> <p>7 A. This was a follow onto the previous</p> <p>8 document, Waller 9, after we met with -- after</p> <p>9 the first meeting with Guo. So we then took</p> <p>10 what -- our takeaways from our discussion with</p> <p>11 him for further ones with Lianchao, and then I</p> <p>12 wrote this three-year timeline to show Guo on our</p> <p>13 second meeting.</p> <p>14 Q. And when was that second meeting?</p> <p>15 A. Mid-December.</p> <p>16 Q. That was, again, with you, French,</p> <p>17 Lianchao and Mr. Guo?</p> <p>18 A. Yes, at his residence.</p> <p>19 Q. In New York?</p> <p>20 A. Yes.</p> <p>21 Q. What was discussed at that meeting?</p> <p>22 A. All of these issues were, including</p> <p>23 everything stated here and a proposal for him to</p> <p>24 get the domain .China, so that he could build a</p> <p>25 global media presence that the Chinese government</p>	<p style="text-align: right;">Page 232</p> <p>1 Q. Do you know who did?</p> <p>2 A. French did to Yvette.</p> <p>3 Q. I see. When was that, if you know?</p> <p>4 A. Late December. I believe it was late</p> <p>5 December. It was obviously subsequent to this</p> <p>6 meeting.</p> <p>7 Q. So this was the first time there was a</p> <p>8 discussion about purchasing a Washington property</p> <p>9 in connection with building this Washington</p> <p>10 presence?</p> <p>11 A. No, that came up at the first meeting.</p> <p>12 This is the takeaway from the first meeting, this</p> <p>13 document 10 and the presentation of the follow-on</p> <p>14 proposal for the second meeting.</p> <p>15 Q. And it has cost estimates, things of</p> <p>16 that nature?</p> <p>17 A. Yes.</p> <p>18 Q. Did you ever give a gift to Mr. Guo?</p> <p>19 A. Maybe a token gift. I don't remember.</p> <p>20 Q. You don't recall trying to give Mr. Guo</p> <p>21 a gift?</p> <p>22 A. No, I don't remember. It was something</p> <p>23 very minor, but I don't recall.</p> <p>24 Q. Do you customarily give gifts to</p> <p>25 clients or potential clients?</p>
<p style="text-align: right;">Page 231</p> <p>1 couldn't interfere with.</p> <p>2 Q. How long was that meeting?</p> <p>3 A. Three or four hours.</p> <p>4 Q. What was the feedback you got from</p> <p>5 this -- I take it it was a presentation based on</p> <p>6 this document?</p> <p>7 A. Yes, we discussed this document. Each</p> <p>8 of us had a copy of it. He had a copy of it. We</p> <p>9 discussed the whole thing. He was going along</p> <p>10 with it in English. Then we discussed -- what</p> <p>11 came out of this, he wanted to go ahead and</p> <p>12 explore the real estate. He did not engage so</p> <p>13 much on the media part. He was interested in</p> <p>14 buying property.</p> <p>15 Q. Where would that property be?</p> <p>16 A. That was the Evermay mansion in</p> <p>17 Georgetown. That was the property across the</p> <p>18 Treasury Department building in Washington, D.C.</p> <p>19 We talked about him buying the Newseum,</p> <p>20 N-e-w-s-e-u-m building in downtown Washington,</p> <p>21 D.C., and the Rockefeller properties in New York</p> <p>22 City and outside New York.</p> <p>23 Q. Did you participate in showing these</p> <p>24 properties to Mr. Guo?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 233</p> <p>1 A. It depends on the nature of the client</p> <p>2 or the interest of the client.</p> <p>3 Q. So sometimes?</p> <p>4 A. A bottle of wine or something small</p> <p>5 scale, yeah.</p> <p>6 Q. Okay.</p> <p>7 MR. GRENDI: Let's do 11.</p> <p>8 (Waller Exhibit 11, Document entitled</p> <p>9 "Time to Get Them Beginning the</p> <p>10 Psycho-Political Campaign For China," Bates</p> <p>11 stamped SV385 to SV402, marked for</p> <p>12 identification.)</p> <p>13 MR. GRENDI: I think there's a little</p> <p>14 bit of a copying issue here. We can come</p> <p>15 back to it if we need to. It should be</p> <p>16 SV385 to SV402.</p> <p>17 Q. Mr. Waller, do you recognize this</p> <p>18 document?</p> <p>19 A. Yes.</p> <p>20 Q. What is it?</p> <p>21 A. It is a PowerPoint presentation to Guo</p> <p>22 elaborating on the discussions that we had had</p> <p>23 and showing a game plan that we were recommending</p> <p>24 for him.</p> <p>25 Q. So is this created subsequently to the</p>

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<p style="text-align: right;">Page 234</p> <p>1 previous two documents you were just showed?</p> <p>2 A. I believe I created it at the same time</p> <p>3 with this.</p> <p>4 Q. That would be Exhibit 10?</p> <p>5 A. Yes, for the second meeting.</p> <p>6 Q. Did you present it at the second</p> <p>7 meeting on like a computer?</p> <p>8 A. No. He didn't allow computer</p> <p>9 presentations. It was just by hand.</p> <p>10 Q. So you printed this out?</p> <p>11 A. Yes, in a color paper copy.</p> <p>12 Q. So that was at that same second meeting</p> <p>13 you described earlier?</p> <p>14 A. I believe so.</p> <p>15 Q. Turning to 387. It says, "Build and</p> <p>16 operate a secret system for micro-targeted</p> <p>17 intelligence collection and analysis."</p> <p>18 Do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. What does that mean?</p> <p>21 A. That was the project about which this</p> <p>22 whole suit is about.</p> <p>23 Q. That's a description of the research</p> <p>24 that was memorialized in the research agreement?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 236</p> <p>1 A. Yes.</p> <p>2 Q. Is that correct?</p> <p>3 A. Yes.</p> <p>4 Q. Where are you getting that list of 92</p> <p>5 from?</p> <p>6 A. From Exhibit 6.</p> <p>7 Q. Which part of that?</p> <p>8 A. Throughout the entire document you have</p> <p>9 the main person, the numbered individual in large</p> <p>10 letters, and then all the people associated with</p> <p>11 that individual on these trees, and that's a</p> <p>12 total of 92.</p> <p>13 Q. I see. So if you counted up all the</p> <p>14 individuals referenced in Exhibit 6, it's 92?</p> <p>15 A. Yes.</p> <p>16 Q. Exhibit 92 also -- excuse me --</p> <p>17 Exhibit 6 also has 15 different named</p> <p>18 individuals, correct?</p> <p>19 A. Yes.</p> <p>20 Q. And under those individuals' names</p> <p>21 there's also the two reports that are requested,</p> <p>22 two or three reports?</p> <p>23 A. Back on Exhibit 6?</p> <p>24 Q. Yes.</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 235</p> <p>1 Q. It says, "The first ten targets are</p> <p>2 identified."</p> <p>3 A. Yes.</p> <p>4 Q. What does that mean?</p> <p>5 A. He told us that he had ten targets he</p> <p>6 wanted us to look at, and then gave us the name</p> <p>7 of one to test earlier.</p> <p>8 Q. Who was that?</p> <p>9 A. That was Anita Suen.</p> <p>10 Q. Is that actually a picture of her on</p> <p>11 the right?</p> <p>12 A. Yes.</p> <p>13 Q. And that test, was that test</p> <p>14 demonstration before or after this meeting?</p> <p>15 A. I think it was before.</p> <p>16 Q. I see. With respect to --</p> <p>17 A. Yes. It was before because he provided</p> <p>18 this picture for the presentation that we used.</p> <p>19 Q. What about the other nine targets? Had</p> <p>20 those been identified?</p> <p>21 A. I don't recall. I think he hadn't</p> <p>22 chosen which ones he wanted to prioritize, but I</p> <p>23 don't recall.</p> <p>24 Q. You mentioned before that there were</p> <p>25 like 92 non-prioritized names?</p>	<p style="text-align: right;">Page 237</p> <p>1 Q. Sitting here today, are you telling me</p> <p>2 that you didn't understand that the 15 numbered</p> <p>3 names were the 15 fish being identified?</p> <p>4 A. Yes, but we didn't get this until after</p> <p>5 the contract. Really, this is three weeks before</p> <p>6 we received this.</p> <p>7 Q. Right, but when did you receive a list</p> <p>8 of 92 names?</p> <p>9 A. The day we received Exhibit 6.</p> <p>10 Q. Right, but you're indicating that you</p> <p>11 didn't understand that they were prioritized in</p> <p>12 any way.</p> <p>13 A. No, we understood fully that they were</p> <p>14 prioritized. But he also said you'll also find</p> <p>15 people in here -- if you find data on some of</p> <p>16 these other individuals, dig it out and let me</p> <p>17 see it because they might replace one of the 15.</p> <p>18 Q. Right. But in conducting the initial</p> <p>19 research, you understood that the 15 fish were</p> <p>20 the 15 names with numbers next to them on</p> <p>21 Exhibit 6, right?</p> <p>22 A. Yes.</p> <p>23 Q. Going back to Exhibit 11. It says,</p> <p>24 "Document everything as leverage to gain</p> <p>25 concessions, protect people, use as political</p>

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<p style="text-align: right;">Page 238</p> <p>1 weapon or as aid in criminal prosecution and</p> <p>2 asset recovery."</p> <p>3 What do you mean by that?</p> <p>4 A. Those were memorializing Guo's -- the</p> <p>5 end results that he wanted from this information.</p> <p>6 Q. What did you understand that to be?</p> <p>7 A. He said he had family still in China</p> <p>8 who he wanted to get released. He said he had</p> <p>9 assets still in China that he wanted to -- that</p> <p>10 had been confiscated that he wanted to recover,</p> <p>11 and others that he wanted to prevent being</p> <p>12 confiscated.</p> <p>13 Q. It also says "as aid in criminal</p> <p>14 prosecution and asset recovery."</p> <p>15 A. Yes.</p> <p>16 Q. What does that mean in this context?</p> <p>17 A. The asset recovery part, I just</p> <p>18 mentioned.</p> <p>19 Q. Oh, for recovery of his own assets?</p> <p>20 A. Of his own stolen assets.</p> <p>21 Q. I see. Not the assets of others?</p> <p>22 A. No.</p> <p>23 Q. Continue.</p> <p>24 A. And then for criminal prosecution of</p> <p>25 anybody of a criminal nature who is on the list.</p>	<p style="text-align: right;">Page 240</p> <p>1 control, to blackmail people to stay in line.</p> <p>2 His desire was to break that monopoly and get it</p> <p>3 out there so that everybody would know.</p> <p>4 Q. I understand. And it says, "Burrow</p> <p>5 into commercial and political networks for</p> <p>6 business purposes." What does that mean?</p> <p>7 A. Yes. He had some business applications</p> <p>8 that he wanted to use this information for in</p> <p>9 China or Hong Kong.</p> <p>10 Q. Let's go to 388. It says, "Aggressive</p> <p>11 grassroots online social media/activist network</p> <p>12 in the United States, to mobilize key support</p> <p>13 base."</p> <p>14 A. Yes.</p> <p>15 Q. What does that mean?</p> <p>16 A. He had political threats to himself</p> <p>17 through Americans who were tied in with the</p> <p>18 Chinese government, who were putting pressure on</p> <p>19 him to be deported back to China. So we wanted</p> <p>20 to reduce the effectiveness of that political</p> <p>21 pressure by organizing other groups that would be</p> <p>22 rallying to say this guy is leading the</p> <p>23 opposition to China. Don't deport him back to</p> <p>24 Beijing.</p> <p>25 Q. What is this network? Is it other</p>
<p style="text-align: right;">Page 239</p> <p>1 Q. Criminal prosecution where?</p> <p>2 A. It was never specified. It could be</p> <p>3 London. It could be United States. He didn't</p> <p>4 mean China.</p> <p>5 Correction. Also in China because he</p> <p>6 had reasons for some of them who could be</p> <p>7 prosecuted in China with the information that he</p> <p>8 had.</p> <p>9 Q. In the next, I guess, little arrow or</p> <p>10 bullet, it says, "Break the party's control of</p> <p>11 corruption information." What does that mean?</p> <p>12 A. The party keeps its control. The</p> <p>13 Chinese Communist Party keeps its control by --</p> <p>14 it's sort of a symbiosis between the super rich</p> <p>15 who got rich off the party, and then the</p> <p>16 knowledge of their corrupt activities that the</p> <p>17 party and the secret police have.</p> <p>18 Q. What does the "break the party's</p> <p>19 control of corrupt information" mean?</p> <p>20 A. If you make the information public that</p> <p>21 certain pillars of the Chinese government are</p> <p>22 involved in corruption, right now it's only the</p> <p>23 secret police that has that information or the</p> <p>24 Chinese authorities who have that information,</p> <p>25 and they're using it for purposes of political</p>	<p style="text-align: right;">Page 241</p> <p>1 companies or individuals? Who's in the network?</p> <p>2 A. Main political activist networks and</p> <p>3 online activists.</p> <p>4 Q. How many different entities are in that</p> <p>5 network? Ballpark?</p> <p>6 A. It's really hard to say because there</p> <p>7 are networks of networks, so they're not</p> <p>8 necessarily cohesive. It's really impossible to</p> <p>9 say.</p> <p>10 Q. These are all American-based entities?</p> <p>11 A. North American, U.S. and Canada.</p> <p>12 Q. Below that it says, "Primarily the</p> <p>13 loose coalition that got Trump elected and to</p> <p>14 which Trump communicates through his Tweets."</p> <p>15 A. Yes.</p> <p>16 Q. What does that mean?</p> <p>17 A. That's the online "MAGA" network of</p> <p>18 supporters of Trump who hate the Chinese</p> <p>19 government.</p> <p>20 Q. How did they get Trump elected? I'm</p> <p>21 just trying to understand that comment.</p> <p>22 A. They were credited with doing the --</p> <p>23 Trump was running his campaign not through out of</p> <p>24 his pocket so much as saying outrageous things</p> <p>25 and using social media to get other people to</p>

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<p style="text-align: right;">Page 242</p> <p>1 echo everything he said. So we would want to use</p> <p>2 that network, and that was credited with getting</p> <p>3 him elected.</p> <p>4 Q. So this isn't a group of Russian</p> <p>5 hackers that got Trump elected?</p> <p>6 A. No, no.</p> <p>7 Q. It also says, "Citizen-journalists who</p> <p>8 break news, expose opponents, attack opponents,</p> <p>9 discredit critics"?</p> <p>10 A. Right.</p> <p>11 Q. So that's a different part of this</p> <p>12 network?</p> <p>13 A. Yes.</p> <p>14 Q. How would you access that network?</p> <p>15 A. I know them.</p> <p>16 Q. So you can get these journalists to</p> <p>17 write positive things about Mr. Guo or attack the</p> <p>18 communists?</p> <p>19 A. Or attack the people who wanted to get</p> <p>20 him deported and say this person is doing it, but</p> <p>21 this person also has money and is invested in</p> <p>22 Chinese companies. And there might be other</p> <p>23 reasons that the Chinese regime uses to leverage</p> <p>24 Americans to do their work for them, do their</p> <p>25 work for it.</p>	<p style="text-align: right;">Page 244</p> <p>1 Q. What do you mean by "information</p> <p>2 offensive" there in italics?</p> <p>3 A. Yes. Get off the defensive. Change</p> <p>4 his image from an eccentric, exiled</p> <p>5 billionaire -- who can have sympathy for somebody</p> <p>6 like that, right? -- to somebody who is trying to</p> <p>7 do the right thing and bring democracy to China.</p> <p>8 Q. So this is kind of like a PR campaign</p> <p>9 in a way that's being proposed?</p> <p>10 A. Yes.</p> <p>11 Q. Let's go to 390. Who is the gentleman</p> <p>12 pictured on the top right there?</p> <p>13 A. That is Mikhail Khodorkovsky.</p> <p>14 Q. That's the individual you mentioned</p> <p>15 earlier today?</p> <p>16 A. Yes. He's the Russian political</p> <p>17 opposition leader who's exiled in London.</p> <p>18 Q. There's also a map here that's of the</p> <p>19 Eurasian area with little numbers and</p> <p>20 bull's-eyes. Do you see that?</p> <p>21 A. Yes.</p> <p>22 Q. What do those little markers or</p> <p>23 bull's-eyes represent? There's numbers next to</p> <p>24 them.</p> <p>25 A. Yes. Those are locations in Russian</p>
<p style="text-align: right;">Page 243</p> <p>1 Q. So the previous group, that loose</p> <p>2 coalition, is kind of just the broad MAGA group?</p> <p>3 A. Younger activists.</p> <p>4 Q. The second group is journalists for</p> <p>5 hire essentially?</p> <p>6 A. Not really for hire so much as people</p> <p>7 who want a good story.</p> <p>8 Q. I see. Then it says, "Effective in</p> <p>9 getting the President's attention and influencing</p> <p>10 policy." What does that mean?</p> <p>11 A. Well, the President is known for</p> <p>12 following Twitter quite closely, and so he has</p> <p>13 certain -- he follows a very small amount of</p> <p>14 people, and he watches a certain network that's</p> <p>15 in this building, so it's a question of getting</p> <p>16 things on Fox and on Twitter.</p> <p>17 Q. I see. And that gets the President's</p> <p>18 eye on Mr. Guo in a positive light?</p> <p>19 A. Yes.</p> <p>20 Q. To prevent him from being deported?</p> <p>21 A. Yes.</p> <p>22 Q. Then it says, "Coordinate with the</p> <p>23 above allied journalists in the U.S. and abroad</p> <p>24 to remain on the information offensive."</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 245</p> <p>1 where organized anti-Putin protests had just</p> <p>2 taken place.</p> <p>3 Q. Let's just look at the one that's in</p> <p>4 the Archangel region near Finland, the top left.</p> <p>5 It says 100 to 150. Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. What does that mean?</p> <p>8 A. That means that 100 to 150 people took</p> <p>9 to the streets on that given day in the</p> <p>10 nationwide-organized protests against Putin.</p> <p>11 Q. When was that protest?</p> <p>12 A. There were a few. I don't recall.</p> <p>13 Q. It says below that, "Team with exiled</p> <p>14 Russian opposition leaders and internal Russian</p> <p>15 opposition activists."</p> <p>16 A. Yes.</p> <p>17 Q. What is the concept behind that idea?</p> <p>18 A. In this case it's a vision to transform</p> <p>19 the whole Eurasian region into democratic</p> <p>20 societies in Russia and China, and to use the</p> <p>21 synergies of the China centric people with those</p> <p>22 of the Russia centric people and have them work</p> <p>23 together.</p> <p>24 Q. In other words, they're both oppressed</p> <p>25 by horrible dictatorships. They might as well be</p>

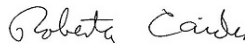
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<p style="text-align: right;">Page 246</p> <p>1 on the same side?</p> <p>2 A. Right.</p> <p>3 Q. It says, "Link with Chinese people</p> <p>4 inside of Russia including cross-border traders</p> <p>5 for propaganda and organizational purposes."</p> <p>6 A. Yes.</p> <p>7 Q. What does that mean?</p> <p>8 A. There's a large Chinese population of</p> <p>9 both permanent, semipermanent, and migratory</p> <p>10 inside Russia, especially in central Russia and</p> <p>11 the Russian Far East, and along the border area</p> <p>12 illustrated on this chart on page 390.</p> <p>13 The idea is you work with those</p> <p>14 traders, Chinese traders who are in Russia, which</p> <p>15 is freer than China in this regard, to have them</p> <p>16 bring back pro-Guo, anti-regime material back</p> <p>17 into China as part of their trading roots, and</p> <p>18 the authorities don't bother them.</p> <p>19 So this is just a new way -- as opposed</p> <p>20 to flying into Beijing where you're going to get</p> <p>21 caught. You just do it through the trading</p> <p>22 networks of Chinese nationals into Russia.</p> <p>23 Q. The idea would be to exploit the</p> <p>24 commercial connection between China and Russia to</p> <p>25 get information into China that's pro-Guo, so to</p>	<p style="text-align: right;">Page 248</p> <p>1 profit. He had -- he's got his asset recovery</p> <p>2 here. He's getting leverage over bad actors in</p> <p>3 China. He can make a lot of money off this. So</p> <p>4 it's not simply a philanthropic or political</p> <p>5 operation. It could become advantageous to him</p> <p>6 as a businessman.</p> <p>7 Q. In terms of recovering his own money?</p> <p>8 A. Yeah.</p> <p>9 Q. Is there any other way that it would</p> <p>10 be?</p> <p>11 A. He spelled out some specific ways.</p> <p>12 They were his ideas, not ours. They were</p> <p>13 itemized earlier in this exhibit.</p> <p>14 Q. Is that concerning exposing corruption</p> <p>15 in China?</p> <p>16 A. Yes.</p> <p>17 Q. Let's go to 395. It says, "U.S.-based</p> <p>18 online army, same group as those who helped win</p> <p>19 Trump election." What does that mean?</p> <p>20 A. That was the online activists who I</p> <p>21 referred to earlier.</p> <p>22 Q. It's the same group. This is just a</p> <p>23 kind of recitation of that?</p> <p>24 A. Yes.</p> <p>25 Q. It says, "Attack tactics include</p>
<p style="text-align: right;">Page 247</p> <p>1 speak?</p> <p>2 A. Or that suits what he wants to achieve,</p> <p>3 yes.</p> <p>4 Q. Because it's typically difficult to</p> <p>5 get -- let's call it -- controversial information</p> <p>6 into China?</p> <p>7 A. Right.</p> <p>8 Q. Let's go to 394. It says here for</p> <p>9 single individual, regular monitoring with two</p> <p>10 competitive teams, \$2,805,000 per year, all costs</p> <p>11 included. Do you see that?</p> <p>12 A. Yes.</p> <p>13 Q. Was that like an initial price that was</p> <p>14 quoted to Mr. Guo and Eastern?</p> <p>15 A. Yes. Not Eastern, Mr. Guo.</p> <p>16 Q. It says above for one, but with one</p> <p>17 team only \$2,380,000.</p> <p>18 A. Yes.</p> <p>19 Q. Again, that was just an initial quote?</p> <p>20 A. Yes.</p> <p>21 Q. It says at the bottom, "This enterprise</p> <p>22 can easily become a profit-making venture."</p> <p>23 A. Yes.</p> <p>24 Q. How is that?</p> <p>25 A. Mr. Guo is a man who likes to make a</p>	<p style="text-align: right;">Page 249</p> <p>1 breaking news, creation & deployment of memes</p> <p>2 (memetic warfare), defending friends, trolling</p> <p>3 opponents, exposing and isolating opponents in</p> <p>4 policy and media, swarming opponents."</p> <p>5 Are these tactics that are issued to</p> <p>6 this U.S.-based online army?</p> <p>7 A. That's what they practice already, so</p> <p>8 we would hire them to carry them out.</p> <p>9 Q. In hiring them, you would just pay them</p> <p>10 as you described earlier with anonymous hackers?</p> <p>11 A. No. It's people who want to write</p> <p>12 about it, want to develop those memes, want to</p> <p>13 make a living doing this rather than have their</p> <p>14 day job working at Walmart.</p> <p>15 Q. How are they paid, though? I just want</p> <p>16 to understand how they would make money.</p> <p>17 A. They would be paid either by check or</p> <p>18 by cash through a series of LLCs.</p> <p>19 Q. I see. Is it Strategic Vision that has</p> <p>20 the connections to this online army or is it you</p> <p>21 personally?</p> <p>22 A. Me personally.</p> <p>23 Q. Okay. Just how would that normally</p> <p>24 work? You would contact one of these groups</p> <p>25 online and send them a check if they agreed to</p>

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<p align="right">Page 250</p> <p>1 promote the content that you wanted?</p> <p>2 A. Yeah, or I know them personally.</p> <p>3 Q. How big is this online army that you're</p> <p>4 able to access?</p> <p>5 A. It's 50 principal people with millions</p> <p>6 of followers who add the volume and the mass to</p> <p>7 the messages, so the re-tweeting and re-liking</p> <p>8 and all that other stuff.</p> <p>9 Q. So what? They, like, employ people who</p> <p>10 have Twitter accounts to promote this content</p> <p>11 or --</p> <p>12 A. Yes.</p> <p>13 Q. -- how does it work?</p> <p>14 A. Yeah, somebody is on Twitter, has a</p> <p>15 certain following, has a certain stature in</p> <p>16 whatever audience that you're looking at, and</p> <p>17 then you pay them to do this type of work as part</p> <p>18 of whatever else they're doing.</p> <p>19 Q. Do they typically disclose that they're</p> <p>20 being paid to tweet about this subject?</p> <p>21 A. Some of them do.</p> <p>22 Q. But not all of them?</p> <p>23 A. I doubt it.</p> <p>24 Q. Let's go to 397. I see here that</p> <p>25 Hudson Institute and Atlas Foundation are</p>	<p align="right">Page 252</p> <p>1 opponent leaders and group. Costs depends on</p> <p>2 your discussions with them."</p> <p>3 I'm trying to understand that. What</p> <p>4 does that mean?</p> <p>5 A. We had offered to introduce Guo to</p> <p>6 Khodorkovsky and others.</p> <p>7 Q. So does this have anything do with the</p> <p>8 actual research? So it's not a Russian network</p> <p>9 that would perform the investigatory research</p> <p>10 that you would request for an agreement like</p> <p>11 this?</p> <p>12 A. No.</p> <p>13 Q. There are these examples of Russia</p> <p>14 beyond Putin, China beyond communism.</p> <p>15 Do you see that?</p> <p>16 A. Yeah.</p> <p>17 Q. What are you talking about there? What</p> <p>18 is that?</p> <p>19 A. Well, the "Russian beyond Putin" refers</p> <p>20 to Khodorkovsky's plan to envision a Russia</p> <p>21 beyond Putin, because so many people sort of</p> <p>22 believed that Putin is forever. And there's</p> <p>23 going to be an end to it, so the question is how</p> <p>24 will there be an end to Putin's regime and then</p> <p>25 what's going to replace it.</p>
<p align="right">Page 251</p> <p>1 circled?</p> <p>2 A. Um-hum.</p> <p>3 Q. Why is that?</p> <p>4 A. Because they are the smaller</p> <p>5 foundations that are effective, despite their</p> <p>6 small size.</p> <p>7 Q. I see. So was this \$11 million or so</p> <p>8 price point being kind of promoted as you should</p> <p>9 run an institution like these two?</p> <p>10 A. Yes. It was in response to his request</p> <p>11 for how much he was even thinking of pouring more</p> <p>12 in. And I said, "Pour too much in and people</p> <p>13 aren't going to take it seriously."</p> <p>14 Q. In other words, it's counterproductive</p> <p>15 to have an over-funded institution?</p> <p>16 A. It can be.</p> <p>17 Q. That's because people just think that</p> <p>18 it's a mouthpiece for someone or?</p> <p>19 A. Oh, they know it's a mouthpiece anyway.</p> <p>20 It's just an 800-pound gorilla as opposed to</p> <p>21 somebody else who fits in with, you know, with</p> <p>22 everyone else.</p> <p>23 Q. Let's go to 398. It says, "Russia</p> <p>24 Networking: Cost." "We will facilitate, but not</p> <p>25 manage or coordinate networking with Russian</p>	<p align="right">Page 253</p> <p>1 So we had that vision. Let's stop</p> <p>2 obsessing about Putin and think about post-Putin</p> <p>3 Russia. The same as China. Nearly everyone</p> <p>4 seems to think that the Chinese Communist Party</p> <p>5 is forever. Our vision is to have a finite limit</p> <p>6 to the party rule, and so think of the People's</p> <p>7 Republic of China beyond the Chinese Communist</p> <p>8 Party.</p> <p>9 Q. I understand. Please turn to 401. It</p> <p>10 says, "Global electronic intelligence gathering</p> <p>11 and synthesis capability through social media</p> <p>12 monitoring."</p> <p>13 A. Yes.</p> <p>14 Q. Is that the investigatory research kind</p> <p>15 of work?</p> <p>16 A. That's part of what we had proposed,</p> <p>17 but we did not do this.</p> <p>18 Q. This is a different service?</p> <p>19 A. Yes.</p> <p>20 Q. How is this different? I just want to</p> <p>21 understand. What's the distinction between this</p> <p>22 global electronic intelligence gathering and what</p> <p>23 the research agreement contemplated?</p> <p>24 A. This particular line item is to</p> <p>25 collect, harvest data by electronic means through</p>

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<p>1 THE VIDEOGRAPHER: This concludes</p> <p>2 today's deposition of Mr. Waller. The time</p> <p>3 is 5:35. We are off the record.</p> <p>4</p> <p>5</p> <p>6 (Whereupon, the within proceedings</p> <p>7 concluded at 5:35 p.m., on the 8th day of</p> <p>8 February, 2019.)</p> <p>9</p> <p>10 * * * * *</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 ERRATA SHEET</p> <p>2</p> <p>3 NAME OF CASE: EASTERN PROFIT v STRATEGIC</p> <p>4 DATE OF DEPOSITION: Friday, February 8, 2019</p> <p>5 NAME OF WITNESS: J. MICHAEL WALLER</p> <p>6 PAGE LINE FROM TO</p> <p>7</p> <p>8 _____ _____ _____ _____</p> <p>9 _____ _____ _____ _____</p> <p>10 _____ _____ _____ _____</p> <p>11 _____ _____ _____ _____</p> <p>12 _____ _____ _____ _____</p> <p>13 _____ _____ _____ _____</p> <p>14 _____ _____ _____ _____</p> <p>15 _____ _____ _____ _____</p> <p>16 _____ _____ _____ _____</p> <p>17 _____ _____ _____ _____</p> <p>18 _____ _____ _____ _____</p> <p>19 _____ _____ _____ _____</p> <p>20 _____ _____ _____ _____</p> <p>21 _____ _____ _____ _____</p> <p>22 _____ _____ _____ _____</p> <p>23 _____ _____ _____ _____</p> <p>24</p> <p>25</p>
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<p>1 D E C L A R A T I O N</p> <p>2</p> <p>3 I hereby certify that having been first</p> <p>4 duly sworn to testify to the truth, I gave the</p> <p>5 above testimony.</p> <p>6</p> <p>7 I FURTHER CERTIFY that the foregoing</p> <p>8 transcript is a true and correct transcript of</p> <p>9 the testimony given by me at the time and place</p> <p>10 specified hereinbefore.</p> <p>11</p> <p>12</p> <p>13 _____</p> <p>14 J. MICHAEL WALLER</p> <p>15</p> <p>16</p> <p>17</p> <p>18 Subscribed and sworn to before me</p> <p>19</p> <p>20 this ____ day of _____ 20____.</p> <p>21</p> <p>22</p> <p>23 _____</p> <p>24 NOTARY PUBLIC</p> <p>25</p>	<p>1 REPORTER'S CERTIFICATE</p> <p>2</p> <p>3 STATE OF NEW YORK)</p> <p>4) ss.</p> <p>5 COUNTY OF NEW YORK)</p> <p>6</p> <p>7 I, ROBERTA CAIOLA, a Shorthand Reporter</p> <p>8 and Notary Public within and for the State of New</p> <p>9 York, do hereby certify:</p> <p>10 That J. MICHAEL WALLER, the witness</p> <p>11 whose deposition is hereinbefore set forth, was</p> <p>12 duly sworn by me and that such deposition is a</p> <p>13 true record of the testimony given by such</p> <p>14 witness.</p> <p>15 I further certify that I am not related</p> <p>16 to any of the parties to this action by blood or</p> <p>17 marriage and that I am in no way interested in</p> <p>18 the outcome of this matter.</p> <p>19 In witness whereof, I have hereunto set</p> <p>20 my hand on this date, February 15, 2019.</p> <p>21 </p> <p>22 ROBERTA CAIOLA</p> <p>23</p> <p>24</p> <p>25</p>